

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87346 of 2024

Arising Out of PS. Case No.-269 Year-2024 Thana- LADANIA District- Madhubani

Md. Abool Hassan S/o- Md. Abbas Resident of village- Islampur Police
Station-Ladaniya Dist- Madhubani

... .. Petitioner/s
Versus
The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Bhavesh Kumar Sah
For the Opposite Party/s : Mr. Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 20-01-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Ladaniya Police Station Case No. 269 of 2024, disclosing offences under Sections 30(a) of the Bihar Prohibition and Excise Act.
3. As per the prosecution case, on 14.08.2024, upon secret information, informant along with other police personnel reached near Kabilasha chowck and he saw one person is fleeing leaving his motorcycle. The informant tried to catch the said person but he managed in fleeing away. After that the informant searched the motorcycle and total 135 liters of illicit



liquor has been recovered from the motorcycle.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to ulterior motive at the instance of enemy of the petitioner. Petitioner is not named in the FIR and he has been made accused merely on the basis of his being the registered owner of the seized motorcycle which he had given to his relative for his personal use. No incriminating article has been recovered from the conscious possession and/or premises of the petitioner.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner has been made accused on the basis of his being the registered owner of the seized motorcycle which he had given to his relative for his personal use, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge cum Special Judge Excise Act, Madhubani, in connection with



Ladaniya Police Station Case No. 269 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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