

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87371 of 2024

Arising Out of PS. Case No.-203 Year-2024 Thana- AKBARPUR District- Nawada

Chhotelal Kumar Son of Maghe Singh Resident of Village- Hathochak
Champa Kali, P.S.- Akbarpur, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma

For the Opposite Party/s : Mr. Manoj Kumar

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 Akbarpur Police Station Case No. 203 of 2024, disclosing offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. As per the prosecution case, on 13-06-2024 at about 10:20 p.m., informant, during the course of raiding at about 03.15 p.m., reached at village- Guruchak Road and on seeing the police party, two motorcyclist fled away leaving their motorcycles. Police chased them but they succeeded in fleeing. Thereafter, both the motorcycles were searched and total 130 liters of country made Mahua liquor was recovered.
4. Learned Counsel for the petitioner submits that the



petitioner has falsely been implicated in the present case due to high handedness of police. Nothing has been recovered from the conscious possession of the petitioner and he has been made accused on the basis of his being the registered owner of one of the motorcycle and on the basis of secret information. Petitioner had given his motorcycle to one villager for the purpose of purchasing medicine and he was not aware that his motorcycle was being used in transportation of illegal liquor.

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 the fact that he happens to be the registered owner of the said motorcycle which according to the petitioner, was borrowed by his villager, 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 Exclusive Special Excise Court-1, Nawada, in connection with Akbarpur Police Station Case No. 203 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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