

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88334 of 2024

Arising Out of PS. Case No.-517 Year-2024 Thana- BARUN District- Aurangabad

Vijay Choudhary S/o Kanahai Choudhary R/o Village- English, P.S.- Barun,
District- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 08-01-2025 At the outset, learned counsel for the petitioner is permitted to make some correction in prayer portion of the petition.

2. Heard learned counsel for the petitioner and learned A.P.P. for the State.

3. The petitioner is apprehending his/her arrest in connection with Barun P.S. Case No. 517 of 2024 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2018.

4. As per prosecution case, there is recovery of 5 liters country made illicit liquor from the motorcycle of the petitioner.

5. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. He has falsely been implicated in this case and he bears



no criminal antecedent. Learned counsel further submits that the motorcycle of the petitioner was taken by his co-villager for medical emergency and he was neither present on spot nor did he escape after seeing the police but the alleged recovery was made from the motorcycle in question as the same might be misused by someone.

6. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner and argument advanced on behalf of both sides, the petitioner above-named, in the event of his arrest or surrender before the learned trial Court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Court No.1, Aurangabad, Bihar in connection with Barun P.S. Case No. 517 of 2024, subject to the conditions as laid down under Section 482 of the BNSS.

8. The application stands allowed.

(Alok Kumar Pandey, J)

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