

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.89911 of 2024

Arising Out of PS. Case No.-280 Year-2024 Thana- BELHAR District- Banka

Yogendra Prasad Singh @ Yogendra Mandal Son of Brajkishore Mandal
Resident of Village - Kusamar, P.S. - Sangrampur, District - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Om Prakash Singh

For the Opposite Party/s : Ms.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 28-01-2025 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 Belhar Police Station Case No. 280 of 2024, dated 01.09.2024, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police, on secret information that a person is going on a red-coloured motorcycle with illicit liquor towards Sahebganj, reached at the place of occurrence and saw a motorcycle coming and signalled it to stop, but the person riding the motorcycle fled away leaving the motorcycle. On search of the motorcycle, the police



recovered 58 litres of illicit liquor.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case merely because he happens to be the registered owner of the motorcycle in question, which was borrowed by his co-villager for his personal work. He further submits that the petitioner has got no criminal antecedent.
5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that the petitioner has got no criminal antecedent and he is the registered owner of the motorcycle in question, which was borrowed by his co-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 No. I, Banka, in connection with Belhar Police Station Case No. 280 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal



Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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