

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88429 of 2024

Arising Out of PS. Case No.-17 Year-2024 Thana- YADOPUR District- Gopalganj

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Dhananjay Soni @ Dhannjay Prasad S/O Nagendra Prasad R/O Village-
Hariharpur P.S- Jadopur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Nand Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Jadopur (Yadopur) P.S. Case No. 17 of 2024 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per prosecution case, 36 liter illicit liquor was recovered from the motorcycle in question. Apprehended co-accused Ranjan Kumar disclosed that the alleged liquor and the motorcycle belonged to the petitioner.

4. Learned counsel for the petitioner submits that except disclosure of apprehended co-accused Ranjan Kumar, there is nothing on record to demonstrate the complicity of the petitioner with the alleged occurrence. He further submits that



petitioner is not the owner of the seized motorcycle in question. Petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner has nothing to do with the alleged occurrence. Petitioner bears criminal antecedent of two cases out of which he is on bail in one case. Petitioner was not found at the place of occurrence. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act.

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

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, 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 Additional Sessions Judge – XIII -cum- Special Excise Court No. 1, Gopalganj in connection with Jadopur (Yadopur) P.S. Case No. 17 of 2024, subject to the conditions as laid down under Section 438(2) of



the Cr.P.C..

7. The application stands allowed.

(Alok Kumar Pandey, J)

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