

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90350 of 2024

Arising Out of PS. Case No.-99 Year-2023 Thana- MALI District- Aurangabad

Chandan Chaudhari Son of Narayan Chaudhari Resident of Village
-Basantpur ward no. 2, PS- Sasaram (M), District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Siddharth Harsh

For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 04-02-2025 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 Mali Police Station Case No. 99 of 2023, dated 25.10.2023, 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, during vehicle check, intercepted one motorcycle and on seeing the police, the rider tried to flee away, however the police, on chase, apprehended him, who disclosed his name as Amit Kumar Yadav. On search of the motorcycle, the police recovered 25.98 litres of illicit liquor from the said motorcycle.
4. Learned Counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case because he happens to be the registered owner of the motorcycle in question. He further submits that only one person was present on the motorcycle who was apprehended by the police at the spot. He further submits that the petitioner has got no concern with the illicit liquor recovered and one of his friends, i.e. co-accused Amit Kumar Yadav, had borrowed the motorcycle to see his ailing father. 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 been implicated in this case, merely because he happens to be the registered owner of the motorcycle in question, which was borrowed by his friend for his personal work and he has got no criminal antecedent, I am inclined to grant the petitioner no. 1 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. II, Aurangabad, in connection with Mali Police Station Case No. 99 of 2023, 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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