

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.941 of 2025

Arising Out of PS. Case No.-124 Year-2024 Thana- WAJIRGANJ District- Gaya

Deepak Kumar S/o- Anandi Chaudhary Village- Gehlaur Atri PS- Arti, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishwa Ranjan Choudhary, Advocate

For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 17-01-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is apprehending his arrest in Wazirganj P.S. case No. 124 of 2024 registered under Sections 30(a), 41 and 52 of the Bihar Prohibition and Excise Act.

3. The prosecution allegation, in short, is that total 151.625 liters liquor was recovered in this case. One Xylo vehicle and one motorcycle were also recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner has got no criminal antecedent. No incriminating material has been recovered from the conscious possession of the petitioner. The dilapidated house in question



does not belong to the petitioner. It is submitted that Xylo vehicle in question also does not belong to the petitioner and the name of the petitioner has transpired as being owner of the motorcycle in question which was given to co-villager for his personal use. The petitioner has got no knowledge and concern with the alleged recovery of liquor. There is no compliance of Section 103 of B.N.S.S., 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Wazirganj P.S. case No. 124 of 2024, subject to the conditions as laid down under Section 482(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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