

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6959 of 2025

Arising Out of PS. Case No.-2386 Year-2024 Thana- Excise P.S. District- Patna

Ajay Prasad S/o Dayal Sharan R/o Vill- Mahadevour, P.S.-Masaurhi, Distt.-
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Eshita Raj, Advocate

For the Opposite Party/s : Mr.Rajiv Nayan, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 23-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Excise P.S. Case No.2386 of 2024 registered for the offences punishable under Sections 30(a) and 56(b) of the Bihar Prohibition and Excise Act.

3. A perusal of the First Information Report and the seizure list would go to show that a total 257.760 liters of foreign liquor has been recovered from a truck bearing Reg. No.BR-30GA-5576.

4. Learned counsel for the petitioner submits that the name of the petitioner surfaced in the present case on account of the fact that the petitioner is the owner of the said truck which was a commercial vehicle and was given on hire.

5. It has further been submitted that nothing has been



recovered from the physical or conscious possession of the petitioner and the seizure list has also not been prepared in accordance with law inasmuch as it does not bear the signature of any independent witness.

6. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

7. Taking into consideration the abovementioned facts and circumstances of the case and further that the petitioner has no criminal antecedent, I am inclined to extend the privilege of anticipatory bail to the petitioner. Let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise-III, Patna in connection with Excise P.S. Case No.2386 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and subject to the further condition that the petitioner shall cooperate in the investigation/trial.

(Soni Shrivastava, J)

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