

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68469 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- Excise Dumraon District- Buxar

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Ram Murti Sharma S/O Dhirendra Sharma R/O Village- Dharmdeo Dihri,
Dumaria, P.S- Tarari, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 20-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Excise Dumaraon P.S. Case No. 15 of 2024 registered for
the offences punishable under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

3. As per prosecution case, the police has recovered
27.9 liters of illicit liquor from the motorcycle bearing Regd.
No. BR-03AM-2515.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
The petitioner was not present at the place of occurrence and



nothing incriminating has been recovered from his possession. The petitioner has one criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application. The alleged motorcycle belongs to the petitioner. The petitioner has no concern with the alleged recovered liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. Charge-sheet has been submitted in this case.

5. Learned counsel for the petitioner further submits that the co-accused Kunal Kumar has been granted regular bail by this Court vide order dated 20.03.2024 passed in Cr. Misc. No. 22129 of 2023.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where



the case is pending/successor court in connection with Excise
Dumaraon P.S. Case No. 15 of 2024, subject to the conditions as
laid down under Section 482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

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