

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32363 of 2020**

Arising Out of PS. Case No.-320 Year-2020 Thana- BARHARA District- Bhojpur

ANIL SINGH, S/o Harendra Singh R/o village- Keshopur, P.S.- Barahara,  
District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Dhirendra Singh

For the Opposite Party/s : Mr.APP

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL ORDER**

2      08-02-2021                      Heard Mr. Ajay Kumar Tiwary, learned counsel  
  
for the petitioner and Mr. Awadhesh Kumar Singh,  
  
learned APP for the State.

The petitioner seeks bail in anticipation of his  
arrest in connection with Barahara P. S. Case No. 320  
of 2020 dated 31.07.2020, instituted for the offences  
under Sections 30(a) of the Bihar Prohibition and Excise  
Act, 2016.

34.9 litres of liquor is said to have been  
recovered from two vehicles and the brother of the  
petitioner was arrested along with the liquor. The name  
of the petitioner has transpired in the confession of his



brother.

The learned counsel for the petitioner has submitted that his brother was made to confess under duress by the police.

There is no recovery from the possession of the petitioner and he does not have criminal antecedents.

The learned counsel for the petitioner submits that the accusation in the F.I.R. does not make out a case under the provisions of the Excise Act against the petitioner.

Considering the afore-stated facts, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 4<sup>th</sup> Additional Sessions Judge – cum – Special Judge, Excise Act, Bhojpur at



Ara, in connection with Barahara P. S. Case No. 320 of  
2020, subject to the conditions as laid down under  
Section 438 (2) Cr.P.C.

The application stands allowed.

**(Ashutosh Kumar, J)**

skm/-

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