

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36530 of 2023

Arising Out of PS. Case No.-89 Year-2023 Thana- CHERIYA BARIYARPUR District-
Begusarai

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SUDHIR SINGH @ SUDHIR Son of Ram Sagar Singh Resident of village -
Bhabhangama, ward no. 15, P.S. - Nawkothi, Distt. - Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar
For the Opposite Party/s : Mr.Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 01-06-2023 Heard learned Counsel for the petitioner and

learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Cheriya Bariyarpur (Manjhaul O.P.) Police Station
Case No. 89 of 2023, dated 22.04.2023, disclosing offences
punishable under Sections 188/290 of the Indian Penal Code
and Sections 30(a)/30(b)/41 of the Bihar Prohibition and Excise
Act, 2016.

The prosecution case, as per the First Information
Report, is that the police, on secret information that the
petitioner, along with other co-accused persons, has brought a
huge consignment of illicit liquor, raided the place of occurrence
and recovered a total quantity of 876.96 litres of illicit liquor



from an open field.

Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case inasmuch as no illicit liquor has been recovered from the possession and/or premises belonging to the petitioner; rather, the illicit liquor has been recovered from an open field, which is accessible to all and sundry. He further submits that the petitioner has got no criminal antecedent.

Regards being had to the submission advanced on behalf of the parties and taking into consideration the fact that the petitioner has got no criminal antecedent and illicit liquor has not been recovered from the possession and/or premises belonging to the petitioner; rather, the same has been recovered from an open field, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, Sudhir Singh @ Sudhir, in the event of his arrest or surrender before the Court below within a period of four weeks from today, 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-I, Begusarai, in connection with



Cheriya Bariyarpur (Manjhaul O.P.) Police Station Case No. 89
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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