

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52608 of 2023**

Arising Out of PS. Case No.-117 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.  
District- Khagaria

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Rajeev Sharma S/O Kamal Sharma R/O Village- Dhusmuri Bishanpur, Ward  
No. 15, P.S- Khagaria, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Dr. Ramakant Akela, Advocate  
For the Opposite Party/s : Ms .Pushpa Sinha, APP

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**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      19-08-2023                      Heard Dr. Ramakant Akela, learned counsel  
  
appearing on behalf of the petitioner and Ms. Pushpa Sinha,  
  
learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection  
with Excise P.S. Case No. 117 of 2023 registered under Section  
30(a) of the Bihar Prohibition and Excise (Amendment) Act,  
2018.

3. As per the allegation made in the F.I.R., 8 litres of  
country made liquor recovered from the hut of the petitioner and  
one litre from possession of co-accused Anil Sharma.

4. Learned counsel appearing on behalf of the



petitioner submits that petitioner is innocent and has falsely been implicated in the present case. Learned counsel further submits that petitioner has clean antecedent.

5. Learned APP appearing on behalf of the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the nature of allegation made against the petitioner as well as the total quantity of liquor which has been recovered is only 8 litres, I am of the opinion that petitioner has made out a, *prima facie*, case to be released on anticipatory bail.

7. Court below is directed to release the petitioner on anticipatory 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/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned Special Excise Judge-II, Khagaria in connection with Excise P.S. Case No. 117 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in



paragraph No.3 of the bail application, this order will  
automatically loose its force.

**(Purnendu Singh, J)**

Manish/-  
Minu/-

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