

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64043 of 2023

Arising Out of PS. Case No.-561 Year-2023 Thana- KANTI District- Muzaffarpur

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AJAY DAS @ AJAY KUMAR DAS @ AJAY KUMAR S/o- SHIVJEE DAS
Village- Bangari PS- Kanti Panapur OP Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate

For the Opposite Party/s : Mr.Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 18-10-2023 1. Heard learned Counsel for the petitioner and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Kanti (Panapur O.P.) PS case no. 561 of 2023, disclosing offences punishable under Section 30(a) of Bihar Prohibition and Excise Act.
3. The prosecution case in nutshell is that on 23.07.2023, the informant/ police official got secret information that the petitioner along with other co-accused persons named in the FIR had brought illicit liquor by Bolero Pick-up vehicle and kept it in Lichi orchard. Upon such information, they reached the place of occurrence. Upon seeing the police party, 7-8 persons started fleeing away and



got succeeded in the same. Upon search, 927 liters of illicit foreign liquor was recovered from Bolero Pick-up vehicle and three motorcycles.

4. Learned Counsel for the petitioner submits that petitioner is having no criminal antecedent and he has been made accused merely on the basis of secret information received by police. It is further submitted that pick-up van as well as the motorcycles, from which illicit liquor has been recovered, do not belong to the petitioner.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that the illicit liquor has not been recovered from the conscious possession of the petitioner, vehicles from which illicit liquor has been recovered do not belong to the petitioner as also the fact that petitioner is having clean antecedent, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within four weeks, 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 Judge, Excise



Court-II, Muzaffarpur in connection with Kanti (Panapur O.P.) PS case no. 561 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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