

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61275 of 2023

Arising Out of PS. Case No.-255 Year-2023 Thana- NADI P.S. District- Patna

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1. MD. KALLU AHMAD @ KALLU AHMAD S/O MD. RAFI AHMAD
RESIDENT OF VILLAGE- SABALPUR, P.S.- NADI, DIST.- PATNA
 2. MD. VICKY @ VICKY AHMAD @ MD. VICKY AHMAD S/O KALLU
AHMAD RESIDENT OF VILLAGE- SABALPUR, P.S.- NADI, DIST.-
PATNA
 3. MD. PAPPU S/O KALLU AHMAD RESIDENT OF VILLAGE-
SABALPUR, P.S.- NADI, DIST.- PATNA
 4. MD. BITTU S/O KALLU AHMAD RESIDENT OF VILLAGE-
SABALPUR, P.S.- NADI, DIST.- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-10-2023

1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Nadi PS Case No. 255 of 2023 dated 28/07/2023 registered under Section 30(a) of the Bihar Prohibition and Excise Act 2018.

3. As per the prosecution case on 28-07-2023 at about 10:00 A.M. while the Police personnel were patrolling the area and when they reached near the house of petitioner no. 1, the Police party saw that four persons came out from the house of the petitioner no. 1 along with a white colour bag and upon



seeing the Police party they threw the bag in front of the house and fled away. Upon search 14 liters of cane beer was recovered from that bag. The name of petitioners was disclosed by the villagers.

4. Learned counsel for the petitioners submits that petitioners have got no criminal antecedent and they have falsely been implicated by the Police with oblique motive. He further submits all the family members have been made accused inasmuch as the petitioner no. 1 is the father of petitioner nos. 2, 3 & 4. No illicit liquor has been recovered from the conscious possession of the petitioners and / or from their house as would be evident from the seizure list.

5. Regard being had to the submission made by the parties, taking into consideration the fact that no illicit liquor has been recovered from the conscious possession and / or premises belonging to the petitioners and the petitioners have got no criminal antecedent, as such, I am inclined to grant anticipatory bail to the petitioners.

6. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10000/- (rupees ten thousand) each



with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Patna City in connection with Nadi P.S. Case No. 255 of 2023 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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