

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.61887 of 2023**

Arising Out of PS. Case No.-265 Year-2023 Thana- SIMRI District- Buxar

LAV PANDEY @ LAV KUMAR PANDEY SON OF MAHIP NARAYAN  
PANDEY RESIDENT OF VILLAGE - SAHIYAR, POLICE STATION -  
SIMRI, DISTRICT - BUXAR (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, Advocate

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**

ORAL ORDER

2      11-10-2023                      1. Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. This application for grant of anticipatory bail arises  
out of Simri Police Station Case No. 265 of 2023, disclosing  
offence under Section 30(a) of the Bihar Prohibition and Excise  
Act, 2016 (hereinafter referred to as 'the Act').

3. The allegation against the petitioner, as per the First  
Information Report, 26 liters of illicit liquor has been recovered  
from the house of the petitioner.

4. Learned Counsel for the petitioner submits that the  
petitioner has falsely been implicated in the present case, merely  
at the behest of the local chowkidar. He further submits that the  
house from where the illicit liquor has been recovered is a joint  
family property and the petitioner is residing there along with  
his parents and other family members. It is further submitted



that the petitioner was not aware about the illicit liquor which was kept therein. The petitioner is 21 years old and is a student of B.A. Part-2.

5. After having heard learned Counsel for the parties concerned and taking into consideration the facts that the petitioner is aged about 21 years, is a student of B.A. Part 2 and the house from where the illicit liquor has been recovered is a joint family property, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, Lav Pandey @ Lav Kumar Pandey, 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 Special Judge, Excise Court No. 2, Buxar, in connection with Simri Police Station Case No. 265 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

**(Anil Kumar Sinha, J)**

HarshPandey/-

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