

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71272 of 2023

Arising Out of PS. Case No.-126 Year-2023 Thana- HATHAURI District- Samastipur

PRAVEEN KUMAR SON OF BABU SAHAB MANDAL @ BABU SAHAB
SINGH RESIDENT OF VILLAGE- SHAHPUR CHINTAMANI P.S.
HATHAURI (SHIVAJINAGAR O.P.), DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Keshav Shrivastava, Sr. Adv.
	:	Mr. Sarbottam Kumar Sarkar
For the Opposite Party/s	:	Mr. Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 07-11-2023

1. Heard, Mr. Keshav Shrivastava, learned senior counsel

for the petitioner and learned Additional Public Prosecutor for the
State.

2. This application for grant of anticipatory bail arises out
of Hathauri (Shivajinagar O.P.) Police Station Case No. 126 of 2023,
disclosing offence under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016 (hereinafter referred to as 'the Act').

3. As per the First Information Report, the police got a
secret information that the petitioner has kept illicit liquor behind the
shop of Shankar Sah for the purpose of selling it, proceeded to the
place of occurrence and upon the seeing the police party, one person
fled away and local chowkidar has disclosed the name of the
petitioner who succeeded in fleeing away. The police has recovered
295.92 liters of illicit liquor from behind the shop of Shankar Sah.

4. Learned senior counsel for the petitioner submits that
the petitioner has been made accused on the basis of secret



information and his identification by the local chowkidar. He next submits that illicit liquor has not been recovered from the conscious possession of the petitioner and/or premises belonging to him.

5. After having heard learned Counsel for the parties concerned and taking into consideration the fact that the illicit liquor has not been recovered from the conscious possession and/or premises belonging to the petitioner and the same has been recovered from an open space, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, Praveen Kumar, 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 Excise Court 1st, Samastipur, in connection with Hathauri (Shivajinagar O.P) Police Station Case No. 126 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

U		T	
---	--	---	--

