

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14567 of 2024

Arising Out of PS. Case No.-116 Year-2023 Thana- Excise P.S. District- Vaishali

1. Anand Kumar S/o Krishna Mohan Singh
2. Shiv Kumar Singh @ Baba Son of Mahendra Singh
Both Resident of Village- Mirza Nagar Ward No.4, P.S.- Mahua, District-
Vaishali
... .. Petitioner/s
Versus
The State of Bihar
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Advocate
For the Opposite Party/s : Mr.Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 11-03-2024 1. Heard learned counsel for the petitioners as well
as learned APP for the State.
2. The petitioners seek bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2018.
3. The learned counsel for the petitioners submit that
the petitioners are person with clean antecedent and the
allegation is of recovery of 299.880 liters of liquor from a place
behind the hut of petitioner no.1.
4. It is next submitted that petitioners were not



arrested from the spot as such nothing was recovered from the conscious possession and even alleged recovery is from a place which does not belong to the petitioners and they came to be implicated merely for the reason that the alleged recovery was from a place which is adjacent to the house of the petitioner no.1. It is further submitted that the local people also implicated them, but then the name of the person who disclosed the name of the petitioners is not disclosed in the FIR, which cast an aspersion on the case of the prosecution, when petitioners admittedly are a person with clean antecedent.

5. The learned APP for the State opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court 2nd-cum-Additional District & Sessions Judge, Hajipur, Vaishali in connection with Mahua Excise P.S. Case No.116 of 2023, subject to the conditions laid down under Section 438(2) of the



Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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

