

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31841 of 2024

Arising Out of PS. Case No.-75 Year-2024 Thana- RAJAOLI District- Nawada

Gopal Singh, aged about 35 years, Son of Ramashish Singh, Resident of
Village - Babhantoli, P.S.- Rajauli, District - Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Davendra Kumar Pandey, Advocate
For the Opposite Party : Mrs. Asha Kumari, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-05-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Rajauli P.S. Case No. 75 of 2024 dated 19.02.2024 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 19 liters of wine is said to have been recovered from the cowshed located behind the house of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the cowshed from which the wine



is recovered does not belong to the petitioner. No incriminating article has been recovered from possession of the petitioner. There is no compliance of Section 100(7) of the Cr.P.C. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court Excise-2, Nawada in connection with Rajauli P.S. Case No. 75 of 2024, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure

7. The application stands allowed.

(Chandra Prakash Singh, J)

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