

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32539 of 2024

Arising Out of PS. Case No.-118 Year-2024 Thana- SIWAN MUFFASIL District- Siwan

VIJAY RAM SON OF RAMBRIKSH RAM RESIDENT OF VILLAGE -
MAHUWARI, P.S. - SIWAN MUFFASIL, DISTRICT - SIWAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Anupam
For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 22-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Siwan Muffasil P.S. Case No. 118 of 2024 registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

3. As per prosecution case, there is alleged recovery of 21 litre country made liquor from the place of occurrence. On the basis of secret information, petitioner is alleged to be fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that name of the petitioner has been transpired in the present case on the basis of secret information but the source of secret information has not been divulged in the FIR, in that situation, the story of prosecution is doubtful. He further submits that petitioner is innocent



and has committed no offence as alleged in the FIR. Petitioner bears no criminal antecedent. He further submits that place of recovery is an open place which is accessible to all. Petitioner is not in way connected with the alleged occurrence.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of the petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. IInd, Siwan in connection with Siwan Muffasil P.S. Case No. 118 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

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