

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34923 of 2024

Arising Out of PS. Case No.-127 Year-2024 Thana- GHOSI District- Jehanabad

Surendra Vind Son of Lakhan Vind Resident of Village- Khairautigarh, P.S- Ghosi, Dist- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar
For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 30-05-2024 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 Ghoshi Police Station Case No. 127 of 2024, disclosing offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police, on secret information that the petitioner is indulged in the manufacturing and sale of illicit liquor, reached near the house of the petitioner and saw that a person, having a plastic gallon of five liter and a bag, on seeing the police fled away after throwing the gallon and the bag on the ground. The police recovered 11 liters of country made liquor from the gallon and the bag.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on the basis of disclosure of his name by the village Chaukidar and the local villagers. He further submits that no illicit liquor has been recovered from the premises of the petitioner; rather the illicit liquor has been recovered from the land situated in front of the house of the petitioner.
5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that the petitioner's name has been disclosed by the local villagers and the village Chaukidar and no illicit liquor has been recovered from the conscious possession and the same has been recovered from the open land, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, 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 Excise Court No.1,



Jehanabad, in connection with Ghoshi Police Station Case
No. 127 of 2024, subject to the condition laid down under
Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

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