

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34914 of 2024

Arising Out of PS. Case No.-7 Year-2024 Thana- Balwahat District- Saharsa

Manoj Yadav S/o Late Ghoghay Yadav RESIDENT OF SAROJA KOPARIA
TOLA, PS BALWAHAT DISTRICT SAHARSA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh

For the Opposite Party/s : Mr. Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 230-05-2024
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 Balwahat Police Station Case No. 07 of 2024, dated 20.03.2024, disclosing offences under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, as per the First Information Report, is that the police, on secret information that the petitioner, along with other co-accused persons, is indulged in storing and selling of illicit liquor, reached near the house of co-accused Arvind Das and on seeing the police force all the persons present in the house succeeded in fleeing away. The police recovered 304 liters of illicit liquor from the house of co-accused Arvind Das.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case on the basis of secret information. He further submits that no illicit liquor has been recovered from the conscious possession of the petitioner and/or premises belonging to him; rather, illicit liquor has been recovered from the house of co-accused Arvind Das, from which the petitioner has no concern.
5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that no illicit liquor has been recovered from the conscious possession of the petitioner and/or premises belonging to him rather the illicit liquor has been recovered from the house of Arvind Das, from which the petitioner has no concern, 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) each with two sureties of the like amount to the satisfaction of learned Court of Exclusive Special



Judge (Excise), Saharsa, in connection with Balwahat Police Station Case No. 07 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

Siwani/Ashwani

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