

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46398 of 2024

Arising Out of PS. Case No.-67 Year-2024 Thana- BAIKUNTHPUR District- Gopalganj

Bhim Singh @ Bhim Kumar Singh S/o Late Chirkut Singh R/o Village-
Bakhari, P.s.-Baikunthpur, District-Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Bharti Rai
	:	Mr. Rajesh Kumar
For the Opposite Party/s	:	Mr. Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-08-2024 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 Baikunthpur Police Station Case No. 67 of 2024,
disclosing offences under Sections 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2022.

3. As per the First Information Report, the police, got
the information that the petitioner has stored the liquor in front
of his house, proceeded towards the place of occurrence and
saw that one person was taking out carton and tied the same on
the back seat of the motorcycle. Upon seeing the police party, he
started fleeing away and succeeded in the same. The chowkidar



disclosed the name of the petitioner. The police recovered 138.24 liters of illicit liquor from the storage facility.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged. The illicit liquor has been recovered from the storehouse situated outside the house of the petitioner which is an open space and accessible to all. The petitioner is not the owner of the motorcycle which was standing in front of the house of the petitioner. The petitioner is having no criminal antecedent.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is having no criminal antecedent, he is not the owner of the motorcycle and the illicit liquor has been recovered from a place situated outside the house of the petitioner, 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 Additional District and Sessions Judge, Patna XIII-cum-Special Excise Court No.-I, Gopalganj, in



connection with Baikunthpur Police Station Case No. 67 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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