

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43671 of 2024**

Arising Out of PS. Case No.-441 Year-2024 Thana- Excise P.S. District- Lakhisarai

VIKASH KUMAR SON OF BANO YADAV RESIDENT OF VILLAGE-
KHAIRI, P.S.- TETERHAT, DISTRICT- LAKHISARAI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Manoj Kumar, Advocate
For the State : Mr. Anant Kumar 1, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 29-07-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 135 litres country made liquor has been recovered from an open place.

4. It is submitted by learned counsel appearing on behalf of the petitioner that no incriminating article has been recovered from conscious possession of this petitioner. The alleged illicit liquor has been recovered from an open place, which is accessible to one and all. Petitioner claims clean antecedents.

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



6. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged 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 V-cum-Special Excise Court-IIInd, Lakhisarai, in connection with Excise P.S. Case No. 441c² of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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