

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.45723 of 2024

Arising Out of PS. Case No.-147 Year-2019 Thana- GOVT. OFFICIAL COMPLAINT CASE
District- Sheikhpura

Raushan Kumar @ Ravi Kumar S/o Mahadev Sah Resident of village
Sakunat (Sangat) Pulpar, ward no 12, PS Sheikhpura district sheikhpura
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Nandan Prasad

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 09-08-2024 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 Excise Police Station Case No. 17 of 2019,
disclosing offences under Sections 30(a) of the Bihar
Prohibition and Excise Act.

3. As per the prosecution report submitted by the
Excise Official, they got the secret information that some
persons were selling illicit liquor behind the Narsingh Temple
near the hill and thereafter, the excise officials with police
reached the place of occurrence. Two persons upon seeing the
police party started fleeing away and succeeded in the same. A
total quantity of 61.50 liters of foreign liquor was recovered
from behind the Nursing Temple.

4. Learned Counsel for the petitioner submits that the
petitioner is having no criminal antecedent and he has been
made accused in this case on the basis of secret information



received by the excise officials. The illicit liquor has not been recovered from the conscious possession of the petitioner or the premises belonging to him.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having no criminal antecedent, the illicit liquor has been recovered from an open space near the temple, 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 Exclusive Special Excise Court, Sheikhpura, in connection with Excise Police Station Case No. 17 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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