

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54425 of 2024

Arising Out of PS. Case No.-127 Year-2024 Thana- BHAGWANPUR District- Vaishali

Anil Das son of Suresh Das Resident of village-Bahlolpur, Ps-
Bhagwanpur,Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivjee Singh
For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 31-08-2024 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 Bhagwanpur Police Station Case No. 127 of 2024, dated 14.05.2024, disclosing offence under Sections 272/273/34 of the Indian Penal Code and 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, raided the house of the petitioner and saw two persons, out of whom one was apprehended by the police while the other person succeeded in fleeing away. The arrested person disclosed his name as Rohit Kumar and also disclosed the name of the petitioner, who succeeded in fleeing away. On search



of the house of the petitioner, the police seized the motorcycle and recovered 20 litres of illicit liquor.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case merely because he happens to be the father of the arrested co-accused person, namely, Rohit Kumar. He further submits that from the seizure list, it would be apparent that the illicit liquor has been recovered from the house of co-accused Rohit Kumar. He further submits that the petitioner lives separately from the co-accused Rohit Kumar in mess and business.
5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that from the seizure list, it is apparent that the illicit has been recovered from the house of co-accused Rohit Kumar and further the petitioner has got no criminal antecedent, 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 1st Exclusive Special Excise Court, Vaishali, at Hajipur, in connection with Bhagwanpur 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.)

Prabhakar Anand/-

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