

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.58799 of 2024

Arising Out of PS. Case No.-151 Year-2024 Thana- DIGHWARA District- Saran

Abhay Tiwari @ Sonu Tiwari, son of Late Dhruv Tiwari R/o- Chauhani Patti,
Aami , Police Station- Dighwara District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Digvijay Narayan Singh

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 11-09-2024 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 Dighwara Police Station Case No. 151 of 2024, dated 17.05.2024, disclosing offence under 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 that the peitioner is selling illicit liquor in the house of one Late Ram Chandra Singh, raided the said house and on seeing the police, one person succeeded in fleeing away. The Police, on search of the said house, recovered 45.78 litres of



illicit liquor kept in the bathroom of the house.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on the basis of disclosure of his name by the Mahal Chowkidar. He further submits that the petitioner has got no criminal antecedent and referring to paragraph 14 of this application, he further submits that the house, in question, does not belong to the petitioner.
5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that house, in question, does not belong to the petitioner 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 Exclusive Excise Court No. 1, Saran, at Chapra, in connection with Dighwara Police Station Case No. 151 of 2024, subject to the condition



laid down under Section 438 (2) of the Code of Criminal
Procedure.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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