

Arising Out of PS. Case No.-121 Year-2022 Thana- MEHANDIGANJ District- Patna

... .. Petitioner/s

Versus

... .. Opposite Party/s

For the Petitioner/s : Mr. Rajeev Ranjan
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

2 20-09-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Mehndiganj P.S. Case No.121/2022 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there is alleged recovery of 80 liters country made Mahua liquor from hut in question. The petitioner and others managed to flee away.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. The petitioner bears no criminal antecedent. He further submits that the petitioner was neither owner of the said hut nor was concerned with the seized liquor. Nothing has been recovered



from the conscious possession of the petitioner and he has nothing to do with the alleged occurrence. In the light of the aforesaid submission, no case is made out against the petitioner under the provision of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise, Patna City, Patna in connection with Mehndiganj P.S. Case No.121/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

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