

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58703 of 2024

Arising Out of PS. Case No.-821 Year-2023 Thana- Excise P.S. District- Aurangabad

Chandan Kumar S/O Sahdeo Mistry @ Satyadev Mehta R/O Mohalla-
Gandhi Nagar, P.S- Aurangabad Town, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate
For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 11-09-2024 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Aurangabad Excise PS case no. 821 of 2023,
disclosing offences punishable under Section 30(a) of Bihar
Prohibition and Excise (Amendment) Act, 2018.
3. The prosecution story, as per the First
Information report, is that on secret information that the
petitioner along with co-accused had kept liquor in bushes at
Irrigation colony, Aurangabad for delivery, the informant
along with police party reached at the place of occurrence, the



accused persons fled away but the police recovered 103.680 liters of illicit countrymade liquor from the bushes.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to village politics. He further submits that according to the seizure list, the place from where recovery has been made, does not belong to the petitioner rather it is a government land.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that seizure list prepared by the police shows that recovery has been made from a government land, which is an open space accessible to all, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, 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 Special Judge (Excise Court No. II), Aurangabad in connection with Aurangabad Excise PS case



no. 821 of 2023, subject to the condition laid down under
Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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