

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58842 of 2024

Arising Out of PS. Case No.-167 Year-2024 Thana- Excise P.S. District- Vaishali

-
1. Sanju Singh S/O Ramanek Singh @ Ram Anek Singh R/O Vill- Daudnagar, Madarpur, Ward no.- 12, P.S- Bidupur, District- Vaishali
 2. Avinash Kumar S/O Harendra Singh @ Harendra Prasad Singh R/O Vill- Daudnagar, Madarpur, Ward no.- 12, P.S- Bidupur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikramadit Mr.

For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 11-09-2024
1. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.
 2. This application for grant of anticipatory bail arises out of Hajipur Excise Police Station Case No. 167 of 2024, dated 13.06.2024, disclosing offence under Sections 30(a)/32 (i) (3)/41 (1) (2) 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 petitioners are indulged in the trade of illicit liquor and are preparing to transport the illicit liquor from a red-coloured tractor, reached the place of occurrence and saw that one tractor



is coming towards them and on seeing the police, the driver of the said tractor fled away after parking the said tractor by the side of the road. On search, the Police recovered 319.68 litres of illicit liquor kept in a secret chamber built in the tractor.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case on the basis of secret information only. He further submits that the petitioner has got no criminal antecedent of similar nature of offence and referring to paragraph 8 of this application, he further submits that the tractor, in question, does not belong to the petitioners.
5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that tractor, in question, does not belong to the petitioners and further the petitioners have got no criminal antecedent of similar nature of offence, I am inclined to grant the petitioners privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bonds of Rs.



10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Court No. II, Vaishali, at Hajipur, in connection with Hajipur Excise Police Station Case No. 167 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

