

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67044 of 2024

Arising Out of PS. Case No.-178 Year-2024 Thana- HARLAKHI District- Madhubani

Pradip Mukhiya Son of Sogarouth Mukhiya R/o Village- Barhi, P.S.-
Harlakhi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha, Advocate
For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 03-10-2024 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Harlakhi PS case no. 178 of 2024, disclosing
offences punishable under Sections 274, 275, 3(5) of B.N.S. Act
and Section 30(a) of Bihar Prohibition and Excise Act.
3. The prosecution story, as per the First Information
report, is that on the basis of secret information that the
petitioner along with others have kept liquor in a mango
orchard, the informant along with police party proceeded
towards the place of occurrence and recovered 216 liters of
illicit liquor from the mango orchard.
4. Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in this case on the basis of



secret information. He further submits that illicit liquor has been recovered from the mango orchard, which is an open space accessible to all and sundry. He next submits that petitioner is neither the owner of the mango orchard nor the illicit liquor has been recovered from his conscious possession.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that illicit liquor has been recovered from 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 six 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Harlakhi PS case no. 178 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

rinkee/-

U		T	
---	--	---	--

