

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66798 of 2024

Arising Out of PS. Case No.-339 Year-2024 Thana- SASARAM MUFFSIL District- Rohtas

Kamlesh Kumar @ Kamlesh Chaudhary Son of Banarsi Chauhan Resident of
Village- Jamuhara, P.O.- P.S.- Chechadhi, Distt.- Aurangabad, at present R/O-
Dayal Bigha, PS- Sasaram (M), District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Siddharth Harsh

For the Opposite Party/s : Mr.Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-10-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with
Sasaram (M)(Karwandiya) P.S. Case No. 339 of 2024 dated
30.07.2024 registered under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act 2022.

3. As per the First Information Report on 30.07.2024 the
Police got information that one person was carrying country
made liquor in a plastic sack, proceeded towards the place of
occurrence and saw that a person was coming from the hillock
side keeping a plastic sack on his head. Upon seeing the Police
party, the person threw the sack and fled away. The local



Chaukidar identified the person as the petitioner. Upon search, 20 liters of country made liquor was recovered from the plastic sack.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated on the basis of disclosure of his name by the village Chaukidar. The petitioner is having no criminal antecedent and the illicit liquor has not been recovered from his conscious possession and / or premises belonging to him.

5. Regard being had to the submission made by the parties, taking into consideration the fact that petitioner is having no criminal antecedent, illicit liquor has not been recovered from his conscious possession and / or premises belonging to him, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Excise Court No. 2 -cum- Additional District and Sessions Judge, Rohtas at Sasaram in connection with Sasaram (M) (Karwandiya) P.S. Case No. 339 of 2024 subject to



the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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