

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74662 of 2024

Arising Out of PS. Case No.-569 Year-2024 Thana- Excise P.S. District- Gopalganj

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Bimal Sahani @ Bhimal Sahani S/o Late Daroga Sahani R/o vill -
Kkawajepur, P.S. - Jodopur, Distt. - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh

For the Opposite Party/s : Mr. Umeshanand Pandit

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-11-2024 1. Heard learned Counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Excise Police Station Case No. 569 of 2024,
disclosing offences under Sections 30(a) of the Bihar
Prohibition and Excise Amendment Act, 2022.

3. As per the FIR, on 15.07.2024, the police officials
got the secret information that consignment of liquor has been
brought by the petitioner through boat, proceeded towards the
river / place of occurrence and found that a boat was there near
the bush and no person was there on the boat. On search, 162
liters of country made liquor was recovered from the boat.

4. Learned Counsel for the petitioner submits that the
petitioner is having no criminal antecedent and he has been
made accused on the basis of secret information received by the



police through chowkidar. The boat from where country made liquor has been recovered does not belong to the petitioner.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is having no criminal antecedent and the illicit liquor has been recovered from the boat which is not owned by the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, 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 Additional District and Sessions Judge IV cum Exclusive Special Excise, Court No. II, Gopalganj, in connection with Excise Police Station Case No. 569 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

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