

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72236 of 2024

Arising Out of PS. Case No.-123 Year-2024 Thana- Excise P.S. District- Vaishali

Hare Ram Singh @ Hareram Rai @ Hare Ram Kumar S/o Ramanand Ray
R/o Village- Chaknaje, P.S- Tisiauta, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyesh Kumar, Advocate
For the Opposite Party/s : Mr. Ajay Kumar No. 2, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 229-10-2024
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 Mahua Police Station Case No. 123 of 2024, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. The prosecution case, as per the First Information Report, is that the police on secret information, reached at the place of occurrence and on seeing police, one person succeeded in fleeing away and upon inquiry, local people disclosed the name of the absconded person as Hareram Rai (petitioner), and the police recovered total 120 litre foreign liquor from a *gali* (street) situated near Verandah of under constructed house of the petitioner.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to village politics. He further submits that from perusal of the F.I.R., it is apparent that nothing has been recovered from the conscious possession of petitioner. He further submits that liquor has been recovered from the street situated near Verandah of under constructed house of the petitioner which is an open space accessible to all and sundry.
5. After having heard learned Counsel for the parties concerned and taking into consideration the fact that liquor has been recovered from outside the under construction house of the petitioner, which is an open space accessible to all and sundry, 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 Exclusive Special Excise Court (Second)-cum-Additional District and Sessions



Judge, Hajipur at Vaishali, in connection with Mahua Police Station Case No. 123 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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