

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71589 of 2024

Arising Out of PS. Case No.-315 Year-2024 Thana- BODHGAYA District- Gaya

Raj Kumar Sao @ Raj Kumar @ Raj Kumar Saw S/o Mohan Sao @ Rajni
Sao R/o Village- Gautam Nagar, P.S.- Bodh Gaya, Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-10-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Bodh Gaya P.S. Case No. 315 of 2024 dated 28.06.2024 registered under Section 30 (a) of the Bihar Prohibition and Excise (Amendment) Act , 2022.

3. As per the first information report the Police recovered a total quantity of 67 liters of English wine from the secret chamber made inside a Maruti Van parked inside a gas godown.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case by the Police due to oblique motive. He submits that the Maruti Van in question from which illicit liquor has been recovered does not belong to the petitioner. He further submits that the gas godown where the Maruti Van was parked



is an open area accessible to all and sundry. He next submits that the petitioner has two criminal antecedents but not of similar nature of offence.

5. Regard being had to the submission made by the parties, taking into consideration the fact that the Maruti Van does not belong to the petitioner and the gas godown where it was parked is an open area accessible to all and sundry, 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 learned Exclusive Special Excise Court No. 1, Gaya in connection with Bodh Gaya P.S. Case No. 315 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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