

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72198 of 2024

Arising Out of PS. Case No.-295 Year-2024 Thana- Excise P.S. District- Begusarai

Shivam Kumar @ Shubham Jha S/o Rabindra Jha R/o Village- Satha, P.S.-
Bachawara, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh
For the Opposite Party/s : Mr. Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 29-10-2024 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 Excise Police Station Case No. 295 of 2024, disclosing offences under Sections 30(a), 32(3) of the Bihar Prohibition and Excise (Amendment) Act, 2018.
3. As per the prosecution case, police recovered 408 liters of illicit liquor from the tailor shop of co-accused Md. Manowar. Upon inquiry, he disclosed that the petitioner along with other accused persons brought the illicit liquor from outside and was indulged in sale of the said liquor.
4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case on the basis of disclosure of his name by the co-accused who was



arrested and from whose possession, the illicit liquor was recovered. The petitioner is having no criminal antecedent and the liquor has not been recovered from his conscious possession and/or his premises.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having no criminal antecedent, illicit liquor has not been recovered from the premises of 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 Exclusive Special Excise Court-II, Begusarai, District-Begusarai, in connection with Excise Police Station Case No. 295 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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