

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74380 of 2024

Arising Out of PS. Case No.-294 Year-2024 Thana- Excise P.S. District- Patna

Vikash kumar Son of Vimal Prasad Resident of Maduwan Colony, Badhai Tola, P.S. - Ramkrishna Nagar, District – Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar
For the Opposite Party/s : Mr. Asha Devi

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 213-11-2024
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 (Patna) P.S. Case No. 294/2024 registered for the offence under Sections 30(a) of Bihar Prohibition and Excise Act.

3. The prosecution case, as per the First Information Report, is that on 15.02.2024, the police, upon secret information that the petitioner has kept illicit liquor in his house and used to sell the same, proceeded towards the place of occurrence and recovered 16.50 litres of illicit liquor under the staircase from the ground floor. It has further been alleged that the name of the petitioner has been disclosed by the tenants and other local people that the



house from where the illicit liquor has been recovered belongs to the petitioner.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in present case on the basis of disclosure of his name by the tenants and local people and illicit liquor has not been recovered from his conscious possession. He next submits that from perusal of the FIR it would be clear that there are several tenants residing in the house and illicit liquor has been recovered under the staircase at the ground floor, which is accessible to all and sundry.
5. Having regard to the submissions made by the parties and taking into consideration the fact that illicit liquor has been recovered from the place which can be accessible by anybody as several tenants reside in the house, in question, 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 Special Judge, Excise-III,
Patna, in connection with Excise (Patna) P.S. Case No.
294/2024, subject to the condition laid down under
Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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