

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76662 of 2024

Arising Out of PS. Case No.-193 Year-2024 Thana- HARLAKHI District- Madhubani

Reeta Devi @ Kasi Devi W/O Jeetu Mukhiya Resident of Village- Barhi, P.S.-
Harlakhi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Adv.

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-11-2024 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 Harlakhi Police Station Case No. 193 of 2024, disclosing offence under Sections 281, 125(a), 125(b), 274, 275-3(5) B.N.S. and 30(a) of the Bihar Prohibition and Excise Act.

3 As per the prosecution case, the Police on the basis of secret information, raided the house of the petitioner and recovered 108 litres of Nepali country-made liquor from the back of the house.

4. Learned Counsel for the petitioner submits that the petitioner is quite innocent and has committed no offence in the manner alleged. He further submits that the illicit liquor was recovered from the back of the house of the petitioner which is an open place and is accessible to all and sundry. He further submits



that the no illicit liquor has been recovered from inside the house of the petitioner. Petitioner has got no criminal antecedent.

5. After having heard learned Counsel for the parties concerned and taking into consideration the fact that the petitioner has no criminal antecedent and the liquor was recovered from the back side of the house of the petitioner which is 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 Additional Sessions Judge-II-cum-Special Judge Excise Act, Madhubani, in connection with Harlakh Police Station Case No. 193 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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