

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77352 of 2024

Arising Out of PS. Case No.-318 Year-2024 Thana- MIRGANJ District- Gopalganj

Pankaj Singh S/O Harendra Singh R/O Village- Peuli, P.S. Mirganj, District-
Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 21-11-2024 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 Mirganj Police Station Case No. 318 of 2024, dated 26.07.2024, disclosing offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police, on the basis of secret information that the petitioner has hidden huge quantity of illicit liquor, raided the place of occurrence and upon seeing the police, one person managed to flee away. Upon search, the police recovered 101 litres of illicit country-made liquor kept in front of the house of the petitioner under the bushes. The name of the petitioner has been disclosed by the nearby



people.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner has been made accused in this case on the basis of disclosure of his name by the local people. He further submits that the illicit country-made liquor has not been recovered from the conscious possession of the petitioner; rather, the same has been recovered kept under the bushes in front of his house, which is an open space and is accessible to all and sundry.
5. After having heard learned Counsel for the parties concerned and taking into consideration the fact that the illicit country-made liquor has not been recovered from the conscious possession of the petitioner and/or inside the house 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 a period of four weeks from today, 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 4th Additional sessions Judge -cum- Exclusive Special Excise Court No. 1, Gopalganj, in connection with Mirganj Police Station Case No. 318 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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