

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77257 of 2024

Arising Out of PS. Case No.-323 Year-2024 Thana- Excise P.S. District- Banka

Md. Ehsan Ansari @ Ehsan Ansari @ Ekhan Ansari S/O Ikram Ansari @ Md. Ekram Resident of Village- Churaili, Police Station- Banka, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md.Najmul Hodda

For the Opposite Party/s : Mr. Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-11-2024 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 Banka Excise Police Station Case No. 323 of 2024, disclosing offences under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on 18.07.2024, at about 8 P.M., informant received a secret information and to verify the same, they went near the black gate located at the house of Ajit Kumar Singh in Babutola Mohalla. On seeing the police party, one person tried to escape with his motorcycle bearing Reg. No. BR 51J 2961. However, police chased and nabbed him. On inquiry, he told his name as Md, Rizwan. Thereafter, police went to his rented room and conducted a



search. On search altogether, 10.180 litres of illicit foreign made liquor were recovered from the waist of accused and from a bag kept in the rented room of the accused.

4. Learned Counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged. Petitioner has falsely been implicated in this case on the basis of confessional statement of the co-accused namely Md. Guddu which has no evidentiary value. No illicit liquor has been recovered from the conscious possession of the petitioner and the same has been recovered from the rented room of the co-accused Md. Guddu.

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 and his name has transpired on the basis of confessional statement of co-accused person namely Md. Guddu, 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 Exclusive Excise Court-2,
Banka, in connection with Banka Excise Police Station Case
No. 323 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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