

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77988 of 2024

Arising Out of PS. Case No.-244 Year-2024 Thana- TILAUTHU District- Rohtas

ANURUDH KUMAR @ ANURUDH CHAUDHARI S/O KUWAR
CHAUDHARY Resident of Village- Malabigha, Police Station- Tilauthu,
District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh

For the Opposite Party/s : Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 26-11-2024 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 Tilauthu Police Station Case No. 244 of 2024, dated 06.08.2024, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2018 (hereinafter referred to as 'the Act').
3. The prosecution case, as per the First Information Report, is that while on patrolling, the police got secret information that two persons were bringing country made illicit liquor in Santro car via Nimiyadih Chandanpura road towards Hurkatola, consequently, the police reached at the place of occurrence. In the meantime, the said car



also reached there, which was intercepted by the police. Two persons from the said car tried to flee away, however, one person was apprehend and other succeeded in fleeing away. The apprehended person disclosed his name as Ravi Kumar and he also disclosed the name of person, who fled away, as Anurudh Kumar, who is the petitioner. Upon search, total 40 liters of illicit liquor was recovered from the seized Santro car, having registration no. BR-02-N-4658.

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 arrested co-accused person. He next submits that illicit liquor has not been recovered from the conscious possession of the petitioner. He further submits that neither the car, in question, nor illicit liquor belongs to the petitioner. The petitioner has got no criminal antecedent.
5. Regards being had to the submission made by the parties and taking into consideration the fact that the petitioner is not having any criminal antecedent, illicit liquor has been recovered from his conscious possession and the petitioner is not the owner of the car, 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 the learned Exclusive Special Excise Court No. 2 -cum- Additional District and Sessions Judge, Rohtas at Sasaram in connection with Tilauthu Police Station Case No. 244 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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