

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77305 of 2024

Arising Out of PS. Case No.-505 Year-2023 Thana- MUFFASIL District- Aurangabad

Upendra Chandravanshi @ Upendra Singh S/o- Late Saryu Chandravanshi
Village- Pokhraha, P.S-Muffasil, District-Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukul Kumari

For the Opposite Party/s : Mr. Nityanand

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 Muffasil Police Station Case No. 505 of 2023, dated 10.12.2023, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022 (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 the petitioner has kept illicit liquor in a red-white colored bag and going towards Pokhraha village. Upon this information the police reached at the place of occurrence and on seeing the police party the petitioner threw the bag and succeeded in fleeing away.



On search, the police recovered 05 liters of country made illicit liquor from a bag.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case merely on the basis of suspicion. He next submits that illicit liquor has not been recovered from conscious possession of the petitioner and/or premises belonging to him. 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 and illicit liquor has not been recovered from premises belonging to 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 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 Special Judge of Excise, Court No. I, Aurangabad, in connection with G.R. No. 1353 of 2023, subject to the condition laid down under



Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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