

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78739 of 2024

Arising Out of PS. Case No.-133 Year-2024 Thana- DAUDPUR District- Saran

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Dhananjay Singh @ Dhananjay Kumar Singh S/O Late Baijnath Singh R/O
Village- Kohra Bazar, P.S- Daudpur, Distt.- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shankar Kumar

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

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 27-11-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Daudpur P.S. Case No. 133 of 2024 dated 06.06.2024 registered under Section 341, 323, 504 / 34 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act 2022.

3. As per the first information report a total quantity of 720 ML of wine has been recovered near the window located at the back side of the house of the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has not committed any offence in the manner alleged. The petitioner has been implicated due to village politics and local rivalry with the informant inasmuch the informant did not pay the price of the articles purchased from



the petitioner's shop and on demand made by the petitioner, he has been implicated in this false case. He submits that though the occurrence has taken place at about 10:20 P.M. on 04.06.2024, the seizure list has been prepared at about 00:30 A.M. on 06.06.2024 which itself creates doubt on the prosecution story. The illicit liquor has not been recovered from the conscious possession of the petitioner and the same has been recovered from the window situated at the back side of the house which can be accessed by anyone. The petitioner has got no criminal antecedent.

5. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has been recovered from back window and the petitioner has got no criminal antecedent, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Ist Exclusive Special Judge, Excise Act, Chapra, Saran in connection with Daudpur P.S. Case No. 133 of 2024 subject



to the condition as laid down under Section 438 (2) of the
Cr.P.C.

(Anil Kumar Sinha, J)

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