

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78416 of 2024

Arising Out of PS. Case No.-171 Year-2024 Thana- NAYAGAON District- Saran

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Babloo Singh @ Babloo Kumar Singh Son of Harivansh Singh Resident of
Village- Bajitpur, P.O- Nayagaon, P.S- Nayagaon, District- Saran at Chapra-
841217

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jeetendra Narayan, Advocate

For the Opposite Party/s : Ms.Gulnar Begum, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 04-12-2024 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Nayagaon PS case no. 171 of 2024, disclosing
offences punishable under Section 30(a) of Bihar Prohibition
and Excise (Amendment) Act, 2022.
3. The prosecution story, as per the First Information
report, is that on 09.09.2024, police got information that
petitioner was carrying illicit liquor on his motorcycle, upon
which, police party proceeded towards the place of occurrence
and saw that one motorcycle rider, driving rashly, started fleeing
away but in the meanwhile, one bag fell down from the
motorcycle and motorcycle rider succeeded in fleeing away,



leaving the motorcycle.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of secret information. He further submits that the registration number of the motorcycle has not been mentioned in the F.I.R. and as per the seizure list, illicit liquor has been recovered from the PCC road near the house of the petitioner, which is an open space, accessible to everyone. Petitioner is having no criminal antecedent.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having no criminal antecedent and illicit liquor has been recovered from the road side, which is an open space, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six 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 2nd Exclusive Special Excise Judge, Saran at Chapra in connection with Nayagaon PS case no. 171 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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