

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78463 of 2024

Arising Out of PS. Case No.-305 Year-2024 Thana- DURAULI District- Siwan

Janardan Singh S/o Late Bansbahadur Singh @ Late Bandbahadur Singh R/o
Village- Bishwania, P.S.- Darauli, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 25-11-2024 Heard learned counsel for the petitioner and Mr.
Khursid Anwar, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Darauli P.S. Case no. 305 of 2024 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that informant received information on his mobile that one Janardan Singh (petitioner) was assaulting Dhruv Singh and on that information when he reached in the house of the petitioner, it is alleged that from the *verandah* of the petitioner, altogether 80 liters of country made liquor was recovered.

4. Learned counsel appearing on behalf of the



petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further been argued by learned counsel for the petitioner that from perusal of the seizure list by which it transpires that place of seizure is the door of the petitioner whereas in F.I.R. the place of seizure mentioned is *verandah* it casts doubt because if the seizure was made from the door of the petitioner it simply means that the place was accessible to anyone. Nothing has been recovered from the conscious possession of the petitioner and also he was not apprehended on spot. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Darauli P.S. Case no. 305 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the



satisfaction of learned Exclusive Special Judge, Excise Court
No. 1, Siwan subject to the conditions as laid down under
section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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