

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77966 of 2024

Arising Out of PS. Case No.-155 Year-2024 Thana- Dehri Mufassil District- Rohtas

Satish Kumar Son of Dadan Singh @ Dadan Yadav Resident of Village-
Chakiya Pahleza PS- Dehri Mufassil, Dist.- Rohtas, Sasaram, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saroj Kumar

For the Opposite Party/s : Mr. Madhuri Lata

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 Dehri (Muf) Police Station Case No. 155 of 2024, dated 16.10.2024, 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 the police, on secret information that the petitioner has kept illicit liquor and was in the process of selling the same, reached near the place of occurrence. On seeing the police party, one person fled away after throwing the black colour bag in the bush. Upon search, the police recovered 15.800 liters of illicit liquor from the said bag.



4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and his name has transpired on the basis of identification made by the Mahal Chowkidar. He further submits that illicit liquor has been recovered from road side and not from the conscious possession of the petitioner and/or premises belong to him.
5. Regards being had to the submission advanced by learned counsel for the parties and taking into consideration the fact that illicit liquor has not been recovered from the conscious possession of the petitioner and/or premises belonging to him and as per the seizure list, the same has been recovered from road side, 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 learned Exclusive Special Judge, Excise Court no. 1, Rohtas (Sasaram), in connection with Dehri (Muf) Police Station Case No. 155 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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