

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78067 of 2024

Arising Out of PS. Case No.-619 Year-2024 Thana- AMARPUR District- Banka

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Amarjeet Kumar Sah @ Amarjit Kumar Sah @ Amrit Sah S/O Ganesh Sah
Resident Of Village Amarpur, Ward No 06, P.S- Amarpur, Dist.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 28-11-2024 1. Heard learned Counsel for the petitioner and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Amarpur PS case no. 619 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 secret information that the petitioner was indulged in selling of illicit liquor. They proceeded towards the place of occurrence and upon seeing the police party, one person succeeded in fleeing away. 4.995 liters of illicit countrymade liquor was recovered from the bathroom of the under constructed house of the petitioner.
4. Learned Counsel for the petitioner submits that the



petitioner is having no criminal antecedent and small quantity of illicit liquor has been recovered from under constructed house of the petitioner, which is abandoned and no body is residing there and is accessible to all and sundry.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having clean antecedent and illicit liquor has been recovered from under constructed house of the petitioner, which is an open space, accessible to all, 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 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 Excise Court-I, Banka in connection with Amarpur PS case no. 619 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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