

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78781 of 2024

Arising Out of PS. Case No.-551 Year-2024 Thana- Excise P.S. District- Darbhanga

Bipin Kumar Mishra @ Bipin Kumar Jha son of Uma Kant Mishra Resident
of Village -Mohanpur Police Station -Sighwara District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary

For the Opposite Party/s : Mr. Kanhiya Kishor

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-11-2024 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 Excise Prohibition Sadar Police Station Case No.
551 of 2024, disclosing offences under Sections 30(a) of the
Bihar Prohibition and Excise Amendment Act, 2022.

3. As per the FIR, on 13.08.2024, the police officials
received the secret information that petitioner along with
Umakant Mishra have kept liquor in their house and are selling
it. On such information, the police party reached near the place
of occurrence and recovered 96.37 liters of foreign liquor and
72.50 liters of beer from the house of Mintu Devi and
apprehended her from the spot. The petitioner upon seeing the
police party fled away.



4. Learned Counsel for the petitioner submits that the petitioner has been implicated in this case with oblique motive and the illicit liquor has been recovered from the joint house of the petitioner and his parents Umakant Mishra and Mintu Devi. Petitioner's mother was arrested by the police at the time of raid. The liquor has been recovered from the open varanda of the house situated at the front which is an open space accessible to all. Petitioner is not having any criminal antecedent of the similar nature of offence.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that illicit liquor has been recovered from the house of Mintu Devi who was arrested by the police at the time of raid and the petitioner is son of co-accused Mintu Devi, 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 Special Judge Exclusive Excise Act-I, Darbhanga, in connection with Excise Prohibition Sadar Police



Station Case No. 551 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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