

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78776 of 2024**

Arising Out of PS. Case No.-441 Year-2024 Thana- GOPALGANJ TOWN District-
Gopalganj

Sanjay Sah @ Sanjay Kumar Son of Shivnath Sah Village- Mathiya P.S.-
Gopalganj District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh
For the Opposite Party/s : Mr. Suresh Prasad Singh

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 Gopalganj Town Police Station Case No. 441 of 2024, disclosing offences under Sections 30(a) and 41(1) of the Bihar Prohibition and Excise Amendment Act, 2022.
3. As per the FIR, the police got secret information that one person has hidden illicit liquor in village Manikpur near the pond and when the police party reached near the place of occurrence, they saw two people with the motorcycle who, upon seeing the police party, they fled away. From near the motorcycle/pond, police recovered 129.2 liters of country made liquor.



4. Learned Counsel for the petitioner submits that the petitioner has been made accused on the basis of the fact that one of the motorcycles seized from the place of occurrence belongs to the petitioner. He further submits that local spy has allegedly disclosed the name of the petitioner. The motorcycle is owned by the mother of the petitioner and his friend had borrowed the motorcycle for his personal work. The petitioner was not aware that the illicit liquor was being carried in the said motorcycle. The liquor has been recovered from a plastic bag near the pond.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the justification given by the petitioner that his motorcycle was borrowed by his friend, 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 Additional Sessions Judge-XIII-cum-Special Judge Excise Court No. I, Gopalganj, in connection with



Gopalganj Town Police Station Case No. 441 of 2024, subject to
the condition laid down under Section 438 (2) of the Code of
Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

U		T	
---	--	---	--

