

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80531 of 2024**

Arising Out of PS. Case No.-549 Year-2024 Thana- GAYA MUFASIL District- Gaya

Pappu Chaudhary Son of Late Rukhani Chaudhary r/O-Village- Bhedeji, PS-
Muffasil, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha

For the Opposite Party/s : Mr.Ajit Kumar

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

- 2 10-12-2024 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 Muffasil Police Station Case No. 549 of 2024, dated 26.06.2024, disclosing offence under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the raiding team of the police reached at the place of occurrence and saw that illicit liquor is being prepared and on seeing the police, one person, carrying a yellow colour plastic jar, tried to flee away, but the police apprehended him and recovered 07 litres of illicit mahua liquor. The arrested person disclosed that he, along with the petitioner, used to store and sell illicit liquor.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on the basis of disclosure of his name by the arrested co-accused. He further submits that illicit liquor has not been recovered from the premises belonging to the petitioner. He further submits that the petitioner was not present at the place of occurrence inasmuch as the police has seen only one person fleeing away on seeing them and he has been implicated in this case on the basis of his criminal antecedents.
5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that the name of the petitioner transpired in this case on the basis of disclosure of his name by the arrested co-accused person and only 7 litres of illicit mahua liquor has recovered and except the illicit liquor, nothing has been found at the place of occurrence, 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 a period of four weeks from today, 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 No. 1, Gaya, in connection with Muffasil Police Station Case No. 549 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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