

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81363 of 2024

Arising Out of PS. Case No.-200 Year-2024 Thana- CHARPOKHARI District- Bhojpur

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1. SANTOSH MUSAHAR S/O HIRA MUSAHAR RESIDENT OF VILLAGE-NAGARI,MUSAHAR TOLI,P,S,-CHARPOKHARI,DISTRICT-BHOJPUR
 2. SHANKAR MUSAHAR S/O HIRA MUSAHAR RESIDENT OF VILLAGE-NAGARI,MUSAHAR TOLI,P,S,-CHARPOKHARI,DISTRICT-BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Malti Kumari
For the Opposite Party/s : Mr.Kanhiya Kishor

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 11-12-2024
1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
 2. This application, for grant of anticipatory bail, arises out of Charpokhari Police Station Case No. 200 of 2024, dated 09.09.2024, disclosing offences punishable 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 police raided the house of the petitioners and recovered 9.2 litres of illicit country-made liquor kept outside the houses of the petitioners.
 4. Learned Counsel for the petitioner submits that the



petitioners are innocent and have falsely been implicated in this case on the basis of disclosure of their name by the Chowkidar and local villagers. He further submits that illicit liquor has not been recovered from inside the houses of the petitioners; rather, the same has been recovered kept outside the house, which is an open space and is accessible to all and sundry.

5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that 9.2 litres of illicit liquor has been recovered from outside the house of the petitioners, which is an open space and the petitioners have got no criminal antecedent, I am inclined to grant the petitioners privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Court No. I, Bhojpur, at Ara, in connection with Charpokhari Police



Station Case No. 200 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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