

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83590 of 2024

Arising Out of PS. Case No.-300 Year-2024 Thana- LADANIA District- Madhubani

Nagendra Sah S/O Fudan Sah R/O Vill.-Thadi,P.S-Ladania,Dist.- Madhubani,
Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikas Kumar Jha

For the Opposite Party/s : Mr.Md. Anzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 17-12-2024 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 Ladania Police Station Case No. 300 of 2024, dated 29.04.2024, 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 police, on secret information that the petitioner is selling illicit liquor from his house, raided the house of the petitioner and recovered 90 litres of illicit Nepali liquor kept behind the house of the petitioner.
4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that illicit liquor has not been recovered from the premises belonging to the



petitioner; rather, the same has been recovered from the back of the house of the petitioner, 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 illicit liquor has been recovered from behind the house of the petitioner, which is an open space, 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 Special Judge, Excise, Madhubani, in connection with Ladania Police Station Case No. 300 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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