

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.83606 of 2024

Arising Out of PS. Case No.-358 Year-2024 Thana- BANIAPUR District- Saran

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Sheonandan Rawat @ Shinu Rawat Son of Bahadur Rawat Resident of
Village - Mirzapur P.S. - Baniyapur, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar Srivastva
For the Opposite Party/s : Ms.Indu Kumari Srivastava

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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 Baniyapur Police Station Case No. 358 of 2024, dated
07.08.2024, 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
was manufacturing and selling illicit liquor on the bank of
river in front of his house, arrived at the place of
occurrence and on seeing the police, one person fled away
by jumping into the river. The police recovered 200 litres



of illicit country-made liquor from the bank of river.

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 Chowkidar. 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 bank of river, 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 the bank of the river, 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 Exclusive Special Excise Court No. 1, Saran, at Chapra, in connection with Baniyapur Police Station Case No.



358 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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