

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84331 of 2024

Arising Out of PS. Case No.-219 Year-2024 Thana- HISUWA District- Nawada

Manoj Chaudhary Son of Krishna Chaudhary R/o village -Milki Saidpur, P.S.-
Hisua, Dist-. Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Advocate
For the Opposite Party/s : Mr.Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 19-12-2024 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Hisua PS case no. 219 of 2024, disclosing offences
punishable under Section 30(a) of Bihar Prohibition and Excise
(Amendment) Act, 2022.
3. The prosecution story, as per the First Information
report, is that on secret information, when the informant along
with the police party reached at the place of occurrence, they
saw one person coming on a motorcycle with a sack but after
seeing the police party, the said person fled away leaving the
motorcycle. Upon search, 100 liters of countrymade liquor was
recovered and seized.
4. Learned Counsel for the petitioner submits that the



petitioner is not the owner of the motorcycle and he has falsely been implicated in this case on the basis of secret information. He further submits that illicit liquor has been recovered from the road side, which is an open place, accessible to everyone.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that illicit liquor has been recovered from an open space, which is accessible to all and sundry, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six 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 Exclusive Special Excise Judge-1st, Nawada in connection with Hisua PS case no. 219 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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