

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86586 of 2023

Arising Out of PS. Case No.-273 Year-2021 Thana- Excise P.S. District- Samastipur

AJAY KUMAR S/O JAGDISH PRASAD SINGH R/O VILL-SURAJPUR,
WARD NO-4, PATAILI, PS-UJIYARPUR, DIST-SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Shanker Singh, Adv.

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 31-01-2024 Heard Mr. Abhay Shanker Singh, learned counsel
for the petitioner and Mr. Manoj Kumar, learned Additional
Public Prosecutor for the State.

2. Petitioner apprehends his arrest in connection with
Excise Case No. 273/2021 registered on 04.10.2021 for the
offence punishable under Section 30 (a) of the Bihar Prohibition
and Excise (Amendment) Act, 2018.

3. Six litres of illicit liquor has been recovered from
the verandah of petitioner's thatched house.

4. Learned counsel for the petitioners submits that the
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated in this case on the basis of
recovery of illicit liquor from his verandah. He further submits
that the verandah is an open space which is accessible to others



also.

5. Having regard to the submissions made by the parties, taking into consideration the fact that the illicit liquor has been recovered from the verandah which is an open space and it may be accessible to others also, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, petitioner, named above, shall be released on anticipatory bail, in the event of arrest or surrender within six weeks, 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-1, Samastipur in connection with Excise Case No. 273/2021, subject to the conditions as laid down under Section 438(2) CrPC.

(Anil Kumar Sinha, J)

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