

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6530 of 2025

Arising Out of PS. Case No.-849 Year-2024 Thana- BARH District- Patna

Md. Pyush @ Pesu @ Pisu Son of Md. Kalam Village- Masood Bigha, ward
no 9, P.S.- Barh, District – Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-03-2025 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 Barh P.S. Case No. 849 of 2024, disclosing offences
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 7.2 litres of illicit
foreign liquor was recovered near the house of the petitioner
from the blue colour bag which was kept behind the bush.

4. Learned Counsel for the petitioner submits that
petitioner has falsely been implicated in this case due to dirty
local politics. The name of the petitioner has been disclosed by
some local villagers who have inimical terms with the petitioner.
He further submits that nothing has been recovered from the
conscious possession or premises of the petitioner, rather the
alleged recovery was made from behind the bush which is an



open space and accessible to all. Petitioner is having clean antecedent.

5. Having heard learned Counsel for the parties concerned and taking into consideration the fact that nothing has been recovered from the conscious possession of the petitioner or premises of the petitioner, rather the alleged recovery was made from an open space which is accessible to all and sundry and the petitioner has clean antecedent, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner above named petitioner, in the event of his arrest or surrender before the Court below within four 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 Court of Exclusive Special Excise Judge, Barh, Patna, in connection with Barh P.S. Case No. 849 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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