

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6346 of 2025

Arising Out of PS. Case No.-228 Year-2024 Thana- DUMARIAGHAT District- East
Champaran

Chhathu Paswan Son of Jhagaru Paswan Resident of Vill- Semmuapur, P.S.-
Dumariyaghat, District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Advocate
	:	Mr. Dhandev Kumar, Advocate
	:	Mr. Atul Kumar, Advocate
For the Opposite Party/s	:	Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 17-03-2025 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 Dumariyaghat Police Station Case No. 228 of 2024, disclosing offences under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. As per the prosecution case, on 29.09.2024 the Police officer (informant) got secret information that petitioner has kept illicit country made liquor in the hut. When they reached at the place of occurrence, then upon seeing the police party, one person fled away. The police recovered 15 liters of country made liquor from hut meant for keeping straw.
4. Learned Counsel for the petitioner submits that



petitioner having no criminal antecedent and he has been made accused on the basis of the secret information. The illicit liquor has been recovered from the hut made for keeping straw and is situated in the open place in front of the petitioner’s house which was accessible to everyone.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having no criminal antecedent and liquor has been recovered from the hut used for keeping straw situated in front of the house of the petitioner which may be accessible to everyone, 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 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 Exclusive Special Excise Judge Court-3, East Champaran, Motihari, in connection with Dumariyaghat P.S. Case No. 228 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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