

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6314 of 2025

Arising Out of PS. Case No.-346 Year-2024 Thana- DALSINGHSARAI District- Samastipur

Rajan Kumar S/o Sunil Kumar Jha @ Sajjan Jha R/o Village- Bombaiya
Harlal, P.S.- Dalsingsarai, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 24-02-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Dalsinghsarai P.S. Case no. 346 of 2024, registered under section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, it is stated that on a secret information having been received and a search being conducted, 21.765 litres of IMFL was recovered from a forest like agricultural land. On inquiry it transpired that the same belongs to the petitioner. It is further stated that even in the past, liquor had been recovered from a pick-up vehicle near the house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case because of his antecedent. From the contents of the F.I.R. itself it would



transpire that the alleged place of recovery is an open land accessible to all. In no manner, can the alleged place of recovery be said to be under the exclusive control of this petitioner. The petitioner undertakes to cooperate in the case.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R., the nature of the land from which the recovery is said to have taken place and the petitioner not having been arrested from the place of occurrence, it is directed that the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Dalsinghsarai P.S. Case no. 346 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-I, Samastipur.

(Partha Sarthy, J)

Anushka/
Avinash-

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