

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6811 of 2025

Arising Out of PS. Case No.-290 Year-2024 Thana- BARAULI District- Gopalganj

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Avinash Kumar @ Abhinash Kumar @ Avinash Kumar Manjhi @ Avinash Manjhi jSon of Kamal Manjhi Resident of Village- Barauli, PS- Barauli, Distt.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikash Kumar Shukla
For the Opposite Party/s : Mr. Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 220-03-2025
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 Barauli Police Station Case No. 290 of 2024, disclosing offences under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, police received a secret information that the petitioner has kept illicit liquor in a bush behind his house and selling the same reached near the place of occurrence and upon seeing the police party, one person started fleeing away and succeeded in the same. The local chowkidar identified the person who fled away from the place of occurrence. The police recovered 10.08 liters of illicit foreign



liquor from the bush situated behind the house of the petitioner.

4. Learned Counsel for the petitioner submits that the petitioner has been made accused on the basis of secret information received by the police. The illicit liquor has been recovered from a bush situated behind the house of the petitioner and not from inside his house.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that from perusal of the seizure list, it appears that illicit liquor has been recovered from a bush behind the house of the petitioner which is an open space 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 Additional District and Sessions Judge 13th cum Special Excise Court No. I, Gopalganj, in connection with Barauli Police Station Case No. 290 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.



(Anil Kumar Sinha, J)

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