

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6808 of 2025

Arising Out of PS. Case No.-360 Year-2024 Thana- PALASI District- Araria

Sant Lal Sah Son of Late Bharti Lal Sah Resident of Village - Balua
Kaliyaganj, Ward No. 06, P.S. - Palasi, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 20-03-2025 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 Palasi Police Station Case No. 360 of 2024, disclosing offences under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. As per the prosecution case, on 15.10.2024, the police got the secret information that petitioner along with his son Anil Kumar Sah were engaged in the sale of illicit liquor, proceeded towards the place of occurrence, and upon seeing the police party, the petitioners and the co-accused fled away. On search, the police recovered 41.40 liters of illicit liquor from the heap of straw kept in front of the house of co-accused Anil Kumar Sah.



4. Learned Counsel for the petitioner submits that the petitioner is the father of the co-accused Anil Kumar Sah in front of whose house the illicit liquor has been recovered from the heap of straw kept in front of his son's house. No recovery has been made from the conscious possession and/or premises belonging to the petitioner. Both father and son have been made accused on the basis of secret information.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the liquor has been recovered from a place situated outside the house of the co-accused Anil Kumar Sah, which is an open space accessible to everyone and the petitioner is father of Anil Kumar Sah, 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 Judge Excise-II, Araria, in connection with Palasi Police Station Case No. 360 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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