

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10499 of 2025

Arising Out of PS. Case No.-28 Year-2024 Thana- DHAUDAD District- Rohtas

Wakil Bind S/o- Shiyaram Bind Village and PS- Dhaudand Dhaudar District-
Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashwani Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 22-03-2025 Heard learned counsel for the parties.

2. The petitioner in this application prays for grant of anticipatory bail apprehending his arrest in connection with Dhaudad P.S. Case no. 28 of 2024 registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the informant states that three persons who were carrying sacks on their head seeing the police personnel threw the sacks that they were carrying and one of the accused managed to escape. The two accused persons who were arrested, from their possession 30 litres and 28 litres of liquor was recovered. On enquiry they disclosed the name of the petitioner herein as the person who managed to escape and



from the sack thrown by the petitioner, it is stated that 30 litres of liquor was recovered.

4. Learned counsel for the petitioner submits that from the contents of the FIR itself it would be evident that neither the petitioner was arrested at the spot nor any incriminating article recovered from his possession. The only material against him is the statement of the coaccused made before the police. The petitioner has no criminal antecedent and undertakes to cooperate in the investigation/trial.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R., no incriminating article having been recovered from the petitioner's possession and specially the petitioner not having any antecedent under the Bihar Prohibition and Excise Act, 2016, 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 Dhaudad P.S. Case no. 28 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, Excise Court no. II-cum-District
and Additional Sessions Judge, Sasaram, Rohtas.

(Partha Sarthy, J)

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