

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15379 of 2025

Arising Out of PS. Case No.-338 Year-2024 Thana- CHAPRA MUFFASIL District- Saran

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Gabbar Rai Son of Ramnath Rai Resident of Village- Nevaji Tola, P.S.-
Chapra Muffassil, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Sharma, Advocate

For the Opposite Party/s : Mr.Nand Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

- 2 02-04-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. The petitioner has preferred this application for
grant of anticipatory bail apprehending his arrest in connection
with Chapra Mufassil P.S. Case no.338 of 2025 registered under
section 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. From a perusal of the F.I.R and the seizure list it
appears that there is recovery of 35 liters of country made liquor
from two plastic bags which was found behind the house of the
petitioner. The local chowkidar disclosed the name of the
petitioner and that is how the name of the petitioner has figured



in the case.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No recovery has been made from the conscious possession of the petitioner. The alleged place is an open space which is accessible to all. The name of the petitioner has come only on the basis of suspicion. The petitioner undertakes to cooperate in the case/trial.

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

6. In view of the facts of the case that the place of recovery being an open space which is accessible to all and the petitioner has no criminal antecedent, 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 Chapra Mufassil P.S. Case no.338 of 2025 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-I, Saran at Chapra, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to



the further condition that he shall co-operate in investigation/trial.

(Soni Shrivastava, J)

Harsh/-

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