

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13628 of 2025

Arising Out of PS. Case No.-773 Year-2019 Thana- ALAMGANJ District- Patna

Gautam Dome, Son of Chandeshwar Dome, Resident of Mina Bazar Dome
Khana, P.S.- Alamganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 28-03-2025 Heard Arvind Kumar Singh, learned counsel for the

petitioner and Mr. Pramod Kumar Pandey, learned APP for the

State.

2. The petitioner apprehends his arrest in connection with Alamganj P.S. Case No. 773 of 2019 dated 23.10.2019 registered for the offence punishable under section 30(a) of the Bihar Prohibition & Excise Act (in short 'Excise Act').

3. The main submissions advanced by learned counsel appearing for the petitioner are that the petitioner is a 22 year old person having fair and clean antecedent and has not remained involved in any offence relating to the Excise Act in the past, though the instant matter relates to the recovery of 450 litres of country made liquor from a tempo and admittedly, one



person was found standing near the tempo, who was caught on chase by the police and disclosed that he was going to deliver the seized liquor to the petitioner and except this, there is no material against the petitioner to show his involvement in the alleged crime but the said disclosure made by the apprehended co-accused can not be deemed to be sufficient to implicate one, who has fair and clean antecedent, in the Excise matter, so, the alleged offence does not even *prima facie* attract against this petitioner and his prayer is not hit by the provisions of section 76(2) of the Excise Act.

4. Learned APP appearing for the State has opposed the prayer of the petitioner and submits that as per the statement made by the apprehended co-accused, seized liquor was to be delivered to the petitioner and the case is under investigation.

5. Considering the submissions advanced by petitioner's counsel, this Court is inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in



connection with Alamganj P.S. Case No. 773 of 2019, subject to
the conditions as laid down under Section 482(2) of the
B.N.S.S.

(Shailendra Singh, J)

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