

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15099 of 2025

Arising Out of PS. Case No.-618 Year-2023 Thana- BHORE District- Gopalganj

Chikhuri Bhar @ Chikhori @ Nathu Bhar S/o- Suraj Bhar @ Suraj Ray
Village- Kalyanpur Tola Bhartoliya P.S.- Bhorey District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-04-2025 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 Bhore Police Station Case No. 618 of 2023, disclosing offences under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. The prosecution case, as per the First Information Report, is that, on 22.12.2023, police got a secret information that the petitioner and other accused person have kept liquor in bamboo clump near the Vishnu Math. On this information, the police proceeded towards the place of occurrence. However, upon seeing the police party, two persons fled away. On search, police recovered 42 litres of country-made liquor from the bag kept in the bamboo clump.



4. Learned Counsel for the petitioner submits that petitioner has falsely been implicated in this case on the basis of secret information and the liquor has been recovered from bamboo clump which is an open space accessible to everyone. Learned counsel further submits that recovery is not made from the conscious possession of the petitioner and/or premises belonging to the petitioner. He next submits that similarly situated co-accused person, namely, Ashok Rajbhar has been granted anticipatory bail by the co-ordinate of this Court vide order dated 08.4.2024, passed in Criminal Misc. No. 23016 of 2024.

5. Regards being had to submissions made by the parties and taking into consideration the fact that liquor has been recovered from an open space which is accessible to everyone and the similarly situated co-accused person has been granted anticipatory bail by the co-ordinate Bench of this Court, 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) each with two sureties of the like amount each to the



satisfaction of learned Additional Sessions Judge-XIII-cum-Special Judge Excise Court No.1, Gopalganj, in connection with Bhore Police Station Case No. 618 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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