

Arising Out of PS. Case No.-146 Year-2025 Thana- NARDIGANJ District- Nawada

... .. Petitioner/s

Versus

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. Parmanand Prasad

2 25-06-2025 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 Nardiganj Police Station Case No. 146 of 2025, dated 02.04.2025, disclosing offences under Sections 30(a)/30(d) of the Bihar Prohibition and Excise Act.

3. The prosecution case, as per the First Information Report, is that the police received secret information that the petitioner and other accused persons were manufacturing illicit liquor in the bush situated on the bank of Adampur Tilaiya river. Upon such information, the police party reached at the place of occurrence and on seeing the police party, two persons started fleeing away and succeeded in the same. The police recovered 15 liters of country made liquor near the bush from bank of the river



and also recovered utensils.

4. Learned counsel for the petitioner submits that the petitioner is having no criminal antecedent and he has falsely been implicated in the present case on the basis of secret information and name of the petitioner has been disclosed by the local Chowkidar. He next submits that illicit liquor has not been recovered from conscious possession of the petitioner, but the same has been recovered from bush near bank of the river which is open space accessible to all and sundry. He further submits that no other articles except a few utensils, used for manufacturing of illicit liquor, has been recovered from the place of occurrence.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is having no criminal antecedent and recovery of illicit liquor is from open space accessible to all and sundry, 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 Exclusive Special
Excise Judge II, Nawada, in connection with Nardiganj
Police Station Case No. 146 of 2025, subject to the
condition laid down under Section 438 (2) of the Code of
Criminal Procedure.

(Anil Kumar Sinha, J)

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