

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70922 of 2025

Arising Out of PS. Case No.-254 Year-2025 Thana- HASPURA District- Aurangabad

Jalesh Kumar Son of Raghubansh Mahto Resident of village- Itwan PS
-Haspura District -Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Pandey

For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 15-10-2025 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 Haspura Police Station Case No. 254 of 2025, dated 30.08.2025, disclosing offence punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police, on secret information that the petitioner is selling liquor near the bush, raided the place of occurrence and on seeing the police, one person came out of the bush and fled away, who was identified by the chowkidar as the petitioner. On search, the police recovered 60 litres of illicit country-made liquor from the bush.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on the disclosure of his name by the chowkidar. He further submits that the petitioner has got no concern with the illicit liquor recovered inasmuch as the illicit liquor has been recovered from the bush, which is an open space and is accessible to all and sundry. He further submits that the petitioner has got no criminal antecedent.
5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that the petitioner has got no criminal antecedent, his name transpired in this case on the disclosure made by the chowkidar and the illicit liquor has been recovered from the bush, which is an open space, 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) with two sureties of the like amount each to the satisfaction of learned Special Excise



Court No. II, Aurangabad, in connection with Haspura Police Station Case No. 254 of 2025, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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