

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85476 of 2024

Arising Out of PS. Case No.-375 Year-2024 Thana- NOKHA District- Rohtas

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Fuljhari Kuer W/o- Late Devmuni Mushahar Village- Bishunpura Musahar
Toli Ps-Nokha Dist-Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhaneshwar Prasad Gupta

For the Opposite Party/s : Ms.Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 08-01-2025 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 Nokha Police Station Case No. 375 of 2024, dated 07.10.2024, disclosing offence 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 illicit liquor from her house, raided the house of the petitioner and recovered 02 litres of illicit liquor kept in the lane situated behind the house of the petitioner.
4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that illicit liquor has not been recovered from the premises belonging to the



petitioner; rather, the same has been recovered from the lane situated behind the house of the petitioner, which is an open space and is accessible to all and sundry.

- 5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that illicit liquor has been recovered from the lane behind the house of the petitioner, 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 a period of four weeks from today, 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 Exclusive Special Court No. II, Rohtas at Sasaram, in connection with Nokha Police Station Case No. 375 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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