

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85355 of 2024

Arising Out of PS. Case No.-572 Year-2024 Thana- BAKHTIYARPUR District- Patna

Jay Prakash @ Jay Prakash Kumar Son of Mathura Prasad R/O Vill.- Station
Road Bakhtiyarpur, PS- Bakhtiyarpur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suraj Kumar, Advocate

For the Opposite Party/s : Mr.Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 08-01-2025 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Bakhtiyarpur PS case no. 572 of 2024, disclosing
offences punishable under Section 30(a) of Bihar Prohibition
and Excise (Amendment) Act, 2022.
3. The prosecution story, as per the First Information
report, is that on 01.10.2024, the police, upon secret information
that one Ranjit Kumar has kept illicit liquor at his garment shop
situated at D.S. Market, Station Road, Bakhtiyarpur, proceeded
towards the place of occurrence and on seeing the police party,
one person came out of the garment shop and tried to flee away
and succeeded in the same. Police recovered 4.5 liters of illicit
liquor from the garment shop of Ranjit Kumar. Thereafter, the



police reached the godown of the said Ranjit Kumar, situated in the house of the petitioner and recovered 21.6 liters of foreign liquor from the said godown.

4. Learned Counsel for the petitioner submits that the petitioner has been made accused merely on the basis of the fact that co-accused Ranjit Kumar has taken the premises of the petitioner on rent, from where the illicit liquor was recovered by the Police. He further submits that petitioner had not given his godown on rent to keep illicit liquor or any other contraband material and he was not aware about the liquor being kept by his tenant i.e. co-accused Ranjit Kumar.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that illicit liquor has been recovered from the godown which was given on rent by the petitioner to the co-accused Ranjit Kumar, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six 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 Exclusive Special Judge, Excise, Barh,
Patna in connection with Bakhtiyarpur PS case no. 572 of 2024,
subject to the condition laid down under Section 438 (2) of the
Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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