

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86952 of 2024

Arising Out of PS. Case No.-536 Year-2024 Thana- Excise P.S. District- Siwan

Munna Singh @ Matelu Son of Madan Singh Resident of Village -Sagara
P.S.- Nautan, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey
For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 18-01-2025 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 Excise Police Station Case No. 536 of 2024, dated 05.09.2024, disclosing offence under Sections 30(a)/32(3) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the excise officials, during vehicle check got information that the petitioner is coming from Uttar Pradesh on a motorcycle with illicit wine and would be crossing Rampur Sugar Mill, reached near Sahpur canal and saw one person coming on a motorcycle and on seeing them, the person riding the motorcycle fled away leaving the motorcycle and a bag tied with the seat of the



motorcycle. The police seized the motorcycle and recovered 18 litres of illicit country-made liquor from the bag kept tied on the seat of the motorcycle.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on the basis of disclosure of his name by the local villagers. He further submits that the petitioner has got no concern with the illicit liquor recovered and the seized motorcycle and the villagers, due to enmity, named the petitioner as the person who fled away. He further submits that the petitioner has got no criminal antecedent of similar nature of offence.
5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that seized motorcycle does not belong to the petitioner and further the petitioner has got no criminal antecedent of similar nature, 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 Exclusive Special Excise Court No. II, Siwan, in connection with Excise Police Station Case No. 536 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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