

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87398 of 2024

Arising Out of PS. Case No.-480 Year-2024 Thana- KHAJANCHI HAT District- Purnia

1. Saurav Singh @ Saurav Kumar Singh S/O Sri Vibhash Prasad Singh @ Sher Singh R/O Mohalla- Korathbari, P.S- Madhubani, Distt.- Purnea.
2. Gaurav Singh @ Gaurav Kumar Singh S/O Sri Vibhash Prasad Singh @ Sher Singh R/O Mohalla- Korathbari, P.S- Madhubani, Distt.- Purnea.
3. Md. Ashif @ Md. Arif S/O Md. Laddu @ Jahangir R/O Mohalla- Gandhinagar, P.S- Madhubani, Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand
For the Opposite Party/s : Ms.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 21-01-2025 1. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application for grant of anticipatory bail arises out of K. Hat Police Station Case No. 480 of 2024, dated 25.09.2024, 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 trade of illicit liquor is going on in the shop (tea stall), running in the name and style of Chai Garam, near D.I.G. Chowk, raided the said tea stall and on seeing the police, 2-3



persons present inside the shop, tried to flee away, however, the police apprehended one person, who disclosed his name as Vivek Kumar and he further disclosed the names of two persons who succeeded in fleeing away as the petitioner nos. 2 and 3. The arrested person further stated that that he is a worker and the owner of the shop, i.e. the petitioner no. 1, has sent a consignment of illicit liquor in the shop and they used to sell the same. On search of the shop, the police recovered 30.5 litres of illicit liquor from the shop.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case on the disclosure of their names by the arrested co-accused persons. He further submits that the petitioner no. 1 has given the said shop to the arrested co-accused persons for running it and he has no concern with the alleged recovery of the illicit liquor. He further submits that the arrested co-accused person has disclosed the names of the petitioner nos. 2 and 3 in order to save himself.
5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the



fact that the names of the petitioners transpired in this case on the disclosure made by the arrested co-accused, I am inclined to grant the petitioners privilege of anticipatory bail.

- 6. This application, is, accordingly, allowed.
- 7. Let the petitioners above named, in the event of their 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. I, Purnea, in connection with K. Hat Police Station Case No. 480 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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