

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86045 of 2024

Arising Out of PS. Case No.-157 Year-2024 Thana- PUPRI District- Sitamarhi

=====

Baban Giri @ Goutam Giri @ Gautam Kumar Son of Dip Narayan Giri @
Ram Narayan Giri Resident of Village- Singhiyahi road, P.S. - Pupri, District-
Sitamarhi At present R/o ward No.- 2, Bharehwa, Baghri, P.S. - Runnisaidpur,
District- Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Virendra Kumar, Adv.

For the Opposite Party/s : Mr. Pushpa Sinha, APP

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 16-01-2025 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Pupri P.S. Case No. 157 of 2024, disclosing
offences under Section 30(a) of Bihar Prohibition and
Excise(Amendment) Act.
3. As per the F.I.R, on 06.04.2024, the police got the
information that petitioner alongwith other accused person were
coming on motorcycle with illicit liquor proceeded towards
place of occurrence and upon seeing the police party, two
persons riding the motorcycle fled away after throwing a jute
bag. Upon search, the police recovered 43.200 liters of Nepali
liquor from the bags.



4. Learned counsel for the petitioner submits that local people identified the petitioner who used to carry bags on the motorcycle almost daily. He further submits that the petitioner has falsely been implicated in this case on the basis of secret information and thereupon identification by the local people. The illicit liquor has not been recovered from the vehicle or premises belonging to the petitioner. He further submits that the petitioner has been implicated in the present case on the basis of his criminal antecedents of similar nature of offence.

5. Regards being had to the submission advanced on behalf of the parties and taking into consideration that fact that the petitioner has been made accused in the present case on the basis of suspicion and disclosure of his name by the co-villagers and the description of the motorcycle has also not been given in the FIR, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let petitioner, Baban Giri, 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 Judge, Exclusive Excise Court-02, Sitamarhi in connection with Pupri P.S. Case No. 157 of 2024, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

Suruchi/-

U		T	
---	--	---	--

