

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87443 of 2024

Arising Out of PS. Case No.-143 Year-2024 Thana- BALIGAON District- Vaishali

Kapil Ray S/O Chandeshwar Ray R/O Village- Basti Khoajpur, P.S.-
Baligaon, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Adv.
For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-01-2025 1. Heard learned Counsel for the petitioner and
learned APP for the State.

2. This application, for grant of anticipatory bail,
arises out of Baligaon P.S. Case No. 143 of 2024, disclosing
offences under Section 30(a) of Bihar Prohibition and
Excise(Amendment) Act.

3. As per the First Information Report, police got
secret information that petitioner has stored illegal foreign
liquor in his house. On search 70 liter of illegal foreign liquor
was recovered from the cow shade of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The cow shade from where the recovery has been
made is situated behind the house of the petitioner which is an



open place which is accessible to all.

5. Regards being had to the submission advanced on behalf of the parties and taking into consideration that fact that the recovery of illicit liquor was made from cow-shade, situated behind the house of the petitioner and it is accessible to all, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let petitioner, above named, in the event of his arrest or surrender before the Court below within 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 Excise Court No-I-cum-Additional District Session Judge, Vaishali at Hajipur in connection with Baligaon P.S. Case No. 143 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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