

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89848 of 2024

Arising Out of PS. Case No.-322 Year-2024 Thana- Daudnagar Excise District- Aurangabad

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Mrityunjay Kumar Son of Bineshwar Yadav Resident of village- Shankar
Bigaha, P.S.- Daudnagar, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Pramendra Kumar Singh
For the Opposite Party/s : Mr.Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 228-01-2025
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 Daudnagar P.S. Case No.322 of 2024 disclosing offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the Police received secret information that the petitioner and another co-accused are selling illicit liquor near the Canal Bridge and Durga temple located at Sansa village. The Police arrived at the place of occurrence for verification of the information and upon seeing the police party, a boy started running away with a



plastic bag in his hand. The boy, namely Prakash Kumar was caught and disclosed that the petitioner used to give him money for selling the illicit liquor. The Police recovered 7.4 liters of liquor from his bag.

4. Learned Counsel for the petitioner submits that the petitioner has been made accused on the basis of disclosure of his name by apprehended co-accused namely Prakash Kumar. Learned Counsel next submits that the petitioner was not present at the place of occurrence and the illicit liquor was not recovered from the conscious possession of the petitioner.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner's name has transpired on the basis of confessional statement made by the co-accused person namely, Prakash Kumar, 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 Special Judge Excise No. - 02,



Aurangabad, in connection with Daudnagar P.S. Case No.322
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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