

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 87203 of 2024

Arising Out of PS. Case No.-488 Year-2024 Thana- BARACHATTI District- Gaya

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Dhiraj Kumar Son of Surendra Prasad Resident of Vill- Mushehani, P.S.-
Barachatti, District- Gaya (Bihar)

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

- 318-04-2025
1. Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Barachatti P.S. Case no.488 of 2024 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, a secret information having been received that the petitioner along with others involved in sale of liquor, the police party conducted raid. However, on seeing police personnel the accused managed to escape. On search, 10 liters of country liquor was recovered near the house of the petitioner.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. There was no independent witness to the seizure list and no recovery has been made from the conscious possession of the petitioner or from his house. The alleged place is an open space which is accessible to everyone. The petitioner has three criminal antecedent, however he is on bail in the said case. He undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State who submits that the petitioner has three criminal antecedents of the same nature.

6. In view of the facts of the case that the illicit recovery was made from an open space which is accessible to everyone, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Barachatti P.S. Case no.488 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. V, Gaya, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and



subject to the further condition that the learned Court below would however, verify the criminal antecedent of the petitioner before releasing him on bail.

(Soni Shrivastava, J)

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