

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89904 of 2024**

Arising Out of PS. Case No.-234 Year-2024 Thana- MOHIUDDIN NAGAR District-
Samastipur

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Manoj Ray s/o RAMANAND RAY R/O village- Dharmpur, P.S.- Mohiuddin
Nagar, District- Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Rajeev Ranjan
For the Opposite Party/s : Mr.Vinod Shanker Modi

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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 Mohiuddin Nagar Police Station Case No. 234 of 2024,
dated 14.10.2024, 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 petitioner
is selling illicit liquor in his cattle shed, reached at the
place of occurrence and on seeing the police, one person
succeeded in fleeing away. On search, the police
recovered 10 litres of illicit country-made liquor kept in
the cattle shed.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case merely on the basis of disclosure of his name by the Chowkidar. He further submits that the illicit liquor has been recovered from the cattle shed, which is situated far away from the house of the petitioner and is an open space and is accessible to all and sundry. He further submits that the petitioner has got no criminal antecedent.
5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that the petitioner has got no criminal antecedent, his name transpired in this case on the basis of disclosure made by the Chowkidar and the illicit liquor has been recovered from an open space, which is accessible to all, 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 Exclusive Special Excise



Court, Samastipur, in connection with Mohiuddin Nagar Police Station Case No. 234 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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