

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87687 of 2024

Arising Out of PS. Case No.-473 Year-2024 Thana- UDWANTNAGAR District- Bhojpur

Arun Singh @ Lubur S/o Ayodhya Singh R/o vill - Asni, P.s .- Udwanthnagar,
Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Kumar Mishra

For the Opposite Party/s : Mr.Kanhiya Kishor

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 22-01-2025 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 Udwanthnagar Police Station Case No. 473 of 2024, dated 20.10.2024, 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 and one another person, have kept illicit liquor by the side of the canal for sale, reached at the place of occurrence and on search, the police recovered 79 litres of illicit country-made liquor kept near the canal.
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 secret information. He further submits that the petitioner was not present at the spot, no one has seen him fleeing away and the illicit liquor has been recovered from near the canal, which 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 secret information and the illicit liquor has been recovered from an open space 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 No. II, Bhojpur, at Ara, in connection with Udwanthnagar Police Station Case No. 473 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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