

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87287 of 2024

Arising Out of PS. Case No.-955 Year-2024 Thana- ALAMGANJ District- Patna

Chhotu Saw @ Chhotu Sao Son of Subhash Saw @ Subash Saw Resident of
Village- Jala Road, Kooda Par, PS- Alamganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Tiwari

For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 20-01-2025 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 Alamganj Police Station Case No. 955 of 2024, dated 24.10.2024, disclosing offence under Sections 30(a)/37 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 one person is selling illicit liquor near the temple behind the cow-shed of the petitioner, reached at the place of occurrence and on seeing the police some persons started fleeing away, however, the police apprehended five persons in drunken condition, and one of the arrested person, namely, Govinda Kumar Mahto, told that the petitioner had told



him to sell liquor. On search, the police recovered 34.5 litres of illicit country-made liquor from the possession of the arrested co-accused persons.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on the basis of disclosure of his name by the arrested co-accused persons. He further submits that the petitioner has got no concern with the illicit liquor recovered from the backside of his cow-shed, which is an open place. He further submits that the petitioner has got no criminal antecedent of similar nature of offence.
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 of similar nature of offence and he has been made accused in the present case on the basis of disclosure of his name by the arrested co-accused in drunken condition, 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, Patna City, in connection with Alamganj Police
Station Case No. 955 of 2024, subject to the condition
laid down under Section 438 (2) of the Code of Criminal
Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	√	T	√
---	---	---	---

