

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87435 of 2024

Arising Out of PS. Case No.-514 Year-2024 Thana- ISLAMPUR District- Nalanda

Umesh Sao @ Baba S/o- Chandu Sao Village- Buddha Nagar Ps- Islampur
Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhijeet Gautam
For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 21-01-2025 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 Islampur Police Station Case No. 514 of 2024, dated 24.09.2024, 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 Antu Yadav and Ramesh Yadav were unloading illicit liquor from a pick-up van behind the Jagdishpur Primary School, reached the place of occurrence and on seeing the police, all the persons fled away along with the pick-up van. On search, the police recovered 67.5 litres of illicit liquor kept in the bush behind the school.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on the disclosure of his name by the chowkidar on the basis of criminal antecedent. He further submits that the petitioner has got no concern with the illicit liquor recovered and/or the pick up van.
5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that the name of the petitioner transpired in this case by the chowkidar and the liquor has been recovered from the bush, which is 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, Nalanda, at Biharsharif, in connection with Islampur Police Station Case No. 514 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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