

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87272 of 2024

Arising Out of PS. Case No.-736 Year-2024 Thana- NAGAR District- Vaishali

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Vishal Kumar S/o- Sikander Ray @ Sikinder Ray @ Sikandar Ray R/o -
Dakbangla Road Hajipur, P.S - Hajipur Town, District - Vaishali, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Asha Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-01-2025 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 Hajipur Town Police Station Case No. 736 of 2024, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. The prosecution case, as per the First Information Report, the police got secret information on 15.09.2024, that the petitioner has kept illicit liquor in his house and behind petrol pump. When proceeded towards the place of occurrence and searched the house and the places around the house, total 8.010 litre of illicit foreign liquor has been recovered from the bush situated behind the house of the petitioner.

4. Learned Counsel for the petitioner submits that the



petitioner has been made accused on the basis of secret information. He further submits that he is not having any criminal antecedent and the liquor has not been recovered from the premises belonging to the petitioner, but the same has been recovered from a bush situated behind his house which is an open space accessible to all.

5. After having heard learned Counsel for the parties concerned and taking into consideration the fact that the petitioner is not having any criminal antecedent and the liquor has not been recovered from the premises belonging to the petitioner, but the same has been recovered from the bushes situated behind his house 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.1-cum-Additional District & Sessions Judge Vaishali at Hajipur, in connection with Hajipur Town Police Station Case No. 736 of



2024, subject to the condition laid down under Section 438 (2)
of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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