

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87412 of 2024

Arising Out of PS. Case No.-215 Year-2024 Thana- GOPALPUR District- Gopalganj

Himanshu Patel @ Himanshu Kumar Patel S/o- Harinath Patel @ Nata Patel
Resident of village- Karwatahi Bazar PS- Gopalpur District-Gopalganj

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Dubey

For the Opposite Party/s : Mr.Akshay Lal Pandit

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 Gopalpur Police Station Case No. 215 of 2024, dated 07.09.2024, 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 two persons are selling illicit liquor beside the road at Chhoti Nahar at the north side of Karwatahi Bazaar, reached at the place of occurrence and saw two persons sitting, who, on seeing the police, started fleeing away, however the police apprehended one person with gunny bag, who disclosed his name as Chandra Shekhar Pandey and also disclosed



the name of the person who succeeded in fleeing away as the petitioner. On search of the gunny bag kept by the arrested co-accused, the police recovered 17.8 litres of illicit country-made liquor.

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 arrested co-accused person. He further submits that the petitioner has no concern with the recovered illicit liquor and/or the arrested co-accused person. 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 and his name transpired in this case by the disclosure made by arrested co-accused, I am inclined to grant the petitioner no. 1 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, Gopalganj, in connection with Gopalpur Police Station Case No. 215 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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