

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87329 of 2024

Arising Out of PS. Case No.-104 Year-2024 Thana- SIKTI District- Araria

Sukru Khan Son of Md. Mulhai Khan @ Ainuddin Khan @ Jainuddin
Resident of Village- Khan Tola Pararia Ward No.13, P.S.- Sikty, District-
Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 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 Sikty Police Station Case No. 104 of 2024,
disclosing offences under Sections 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

3. As per the FIR, on the basis of secret information,
the police proceeded at the house of the petitioner where nobody
was present. Upon search, 23.4 liters of Nepali Fighter Black
and Nepali Resham Litchi country made liquor was recovered
from the hut made of straw meant for keeping fodder.

4. Learned Counsel for the petitioner submits that the
petitioner is having no criminal antecedent of similar nature of
offence and has been made accused on the ground that liquor
has been recovered from a hut in which fodder was kept for the



cattle. The hut made of straw is situated outside the house of the petitioner and is easily accessible to all.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that illicit liquor has not been recovered from inside the house of the petitioner and the petitioner is having no criminal antecedent of similar nature of offence, 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 District and Additional Sessions Judge-cum-Exclusive Special Excise Judge-II, Araria, in connection with Sikty Police Station Case No. 104 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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