

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88777 of 2024

Arising Out of PS. Case No.-357 Year-2024 Thana- PALASI District- Araria

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Suraj Kumar Yadav Son of Vishan Lal Yadav @ Bishan Lal Yadav Resident
of Village- Dumariya, P.S.- Palasi, District- Araria

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 22-01-2025
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 Palasi Police Station Case No.357 of 2024, disclosing offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. As per the F.I.R., the Police, on the basis of secret information arrived near the place of occurrence and on seeing the police party, the petitioner fled away. The Police recovered 20.50 liters of beer concealed in a ditch in a temporary straw hut meant for keeping fodder.
4. Learned Counsel for the petitioner submits that the petitioner has not committed any offense, as alleged and the liquor or beer has been recovered from the straw hut meant for keeping fodder for cattle. The straw hut is situated in front of the



house of the petitioner, which is accessible to everyone, has not been recovered from inside the house of the petitioner.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the justification given by the petitioner that that liquor has been recovered from the straw hut, which is situated in front of the house and is 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 District and Additional Sessions Judge cum Exclusive Special Excise Judge-II, Araria, in connection with Palasi Police Station Case No.357 of 2024, subject to the condition laid down under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

(Anil Kumar Sinha, J)

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