

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88437 of 2024

Arising Out of PS. Case No.-671 Year-2024 Thana- AMARPUR District- Banka

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Dinesh Hansda Son of Jamru Hansda Resident of Village - Mahadevsthan,
P.S. - Amarpur, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Om Prakash Singh, Advocate

For the Opposite Party/s : Mrs. Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Amarpur P.S. Case No. 671 of 2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. As per prosecution case, there is alleged recovery of 15 liters country made liquor from kitchen room of the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Nothing was recovered from house of the petitioner. Although there was allegation that the recovery was made from kitchen room, neither any member nor any co-sharer of petitioner was



apprehended from place of occurrence. It is further submitted that the petitioner's house is joint family property of Hindu and the petitioner cannot be held liable for the same. Learned counsel further submits that the petitioner having two criminal antecedents. Learned counsel orally submits that petitioner is on bail in both the cases.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-I at Banka in connection with Amarpur P.S. Case No. 671 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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