

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89181 of 2024

Arising Out of PS. Case No.-20 Year-2024 Thana- SIDHWALIYA District- Gopalganj

Jagdish Mukhiya @ Jagdish Shani @ Jagdish Bin S/o- Imarit Mukhiya
Resident of Village-Sangrampur Bin Toli PS-Sangrampur, Dist- East
Champan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Saurabh Kumar, Advocate
For the State : Ms. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 02-04-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 30(a), 30(c) and 30(d) of the Bihar Prohibition and Excise Amendment Act.

3. As per prosecution case, 250 litres country made liquor and apparatus for preparation of illicit liquor was recovered. Petitioner is alleged to have managed to flee away from the spot on seeing the police party.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from conscious possession of this petitioner and he has falsely been implicated in this case merely on suspicion. The



alleged recovery is from an open place which is accessible to one and all. Petitioner has got one criminal antecedent of similar nature in which he is already on bail.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the nature of accusation and the fact that no incriminating article has been recovered from conscious possession of this petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged 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 Additional District & Sessions Judge-XIII-cum-Special Excise Court No. 1, Gopalganj in connection with Sidhwaliya P.S. Case No. 20 of 2024, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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