

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90330 of 2024

Arising Out of PS. Case No.-237 Year-2024 Thana- SIWAN MUFFASIL District- Siwan

Pradeep Kumar @ Pradip Bhagat S/O Late Nayak Prasad Resident of village-
Sisoi Kali Tola, Laxmiganj, P.S- Goriyakothi, Dist- Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Anupam

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-01-2025 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Siwan Muffasil (Dhanauti) P.S. Case No. 237 / 2024 dated 26.04.2024 registered under Section 30 (a) of the Bihar Prohibition and Excise Act 2022 (Amended).

3. As per the first information report a total quantity of 25 liters of illicit local liquor kept in a bag, hidden under husk, has been recovered from an open space behind the government hospital.

4. Learned counsel for the petitioner submits that the petitioner is having no criminal antecedent and his name has transpired on the basis of disclosure made by local Choukidar. The illicit liquor in question has not been recovered from conscious possession and / or premises belonging to the



petitioner rather the same has been recovered from an open space behind government hospital, which is easily accessible to all and sundry.

5. Regard being had to the submission made by the parties, taking into consideration the nature of allegation and the fact that illicit liquor has been recovered from an open space easily accessible to everyone, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today 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 II, Siwan in connection with Siwan Muffasil (Dhanuti) P.S. Case No. 237 / 2024 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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