

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3078 of 2025

Arising Out of PS. Case No.-303 Year-2024 Thana- BAIKUNTHPUR District- Gopalganj

Khalifa Ray Son of Late Bhokhi Ray Resident of Village - Bandhauli, P.S. -
Baikunthpur, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Kumar Srivastva, Advocate
For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 05-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends his arrest for an offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. As per allegation in the FIR, total 5 litres of country made illicit liquor has been recovered from the bushes near the *Bedhi* of *Bathan*.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. He next submits that petitioner has got clean antecedent and nothing has been recovered from the conscious possession of the petitioner. He further submits that petitioner is



neither owner nor concerned with the alleged recovery of country made liquor.

5. Learned APP for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and also the fact that there is no recovery from the conscious possession of the petitioner and petitioner has got no criminal antecedent, let the petitioner, above named, be released on anticipatory bail, in the event of his arrest or surrender before the Court below, within a period of six weeks from today, on his furnishing bail bonds of Rs.10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-XIII-cum-Special Judge, Excise Court No.1, Gopalganj in connection with Baikunthpur P.S. Case No.303 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ramesh Chand Malviya, J)

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