

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90333 of 2024

Arising Out of PS. Case No.-203 Year-2024 Thana- MAGADH UNIVERSITY District- Gaya

Abhay Singh @ Abhishek Kumar @ Raja S/O Arjun Singh R/O Village -
Kawar Bigha, P.S- Magadh University District, Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha

For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-01-2025 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with
M.U. P.S. Case No. 203 / 2024 dated 24.09.2024 registered
under Section 30 (a) of the Bihar Prohibition and Excise
Amendment Act, 2022.

3. As per the first information report Police on the basis of
secret information reached the place of occurrence on the bank
of Falgu river and saw that a person upon seeing the Police
party threw a bag into the river and fled away who was
identified by Chaukidar as Abhay Singh @ Abhishek Kumar @
Raja. Upon search, 39 liters of English wine has been recovered



from the bag.

4. Learned counsel for the petitioner submits that petitioner is having no criminal antecedent and his name has surfaced on the disclosure made by the local Chaukidar. 39 liters of English wine has been recovered from a bag on the bank of Falgu river, which is an open space accessible to all and sundry. No incriminating article and / or illicit liquor has been recovered from the conscious possession and / or premises belonging to the petitioner.

5. Regard being had to the submission made by the parties, taking into consideration the nature of allegation, the fact that illicit liquor has been recovered from an open space easily accessible to everyone and the petitioner is having no criminal antecedent, 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 No. 1 - Gaya in connection with M.U. P.S. Case No. 203 / 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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