

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89866 of 2024

Arising Out of PS. Case No.-151 Year-2024 Thana- BARURAJ District- Muzaffarpur

Rupak Kumar Son of Kisun Sah Resident of Vill- Parsauniya, P.S.- Baruraj,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyesh Kumar
For the Opposite Party/s : Mr.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 28-01-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Baruraj P.S. Case No.151 of 2024, disclosing offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. As per the prosecution case, the Police got the secret information that the petitioner has kept illicit liquor in his house. The Police arrived at the place of occurrence and upon seeing the police party, two persons started fleeing away, who were chased and out of them, one lady was arrested and one person succeeded in fleeing away. The lady, on query, disclosed her name as Sneha Devi and when the name of the other person who fled away was asked, she told his name as Rupak Kumar (her husband). On search, the Police recovered 174.960 liters of liquor from the petitioner's asbestos room.



4. Learned Counsel for the petitioner submits that liquor has been recovered from the open cow-shed situated outside the house of the petitioner and is accessible to everyone. The wife of petitioner was arrested. The petitioner is having no criminal antecedent.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is having no criminal antecedent and illicit liquor has been recovered from open cow-shed, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released 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 Exclusive Special Judge Excise Court No.-II, Muzaffarpur, in connection with Baruraj P.S. Case No.151 of 2024, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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