

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89884 of 2024

Arising Out of PS. Case No.-24 Year-2020 Thana- RAGHOPUR District- Vaishali

Manoj Rai @ Manoj Kumar S/O Bhajan Rai @ Bhajan R/o - Mohanpur
Lanka Tola, P.S- Raghapur, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Singh

For the Opposite Party/s : Ms.Asha Devi

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 Raghapur Police Station Case No. 24 of 2020, dated 15.02.2020, disclosing offences punishable under Sections 30(a)/32(3) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police, on secret information that the petitioner and one another person, have kept huge quantity of illicit liquor in the agricultural field in front of the hut of the petitioner, reached at the place of occurrence and on search, the police recovered 12.06 litres of illicit liquor kept in the agricultural field.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case merely on the basis of disclosure of his name by the Chowkidar and local people. He further submits that illicit liquor has been recovered from the agricultural field situated in front of the hut of the petitioner, which is an open space and is accessible to all and sundry. He further submits that the petitioner has got no criminal antecedent of similar nature of offence.
5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that the petitioner has got no criminal antecedent of similar nature of offence, his name transpired in this case by the Chowkidar and local people and the illicit liquor has been recovered from an open space, accessible to all, 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 Excise Court, Vaishali, at Hajipur, in connection with Raghapur Police Station Case No. 24 of 2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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