

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90362 of 2024

Arising Out of PS. Case No.-67 Year-2024 Thana- Bodhibigaha District- Gaya

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Birendra Kumar @ Birendra Yadav S/o Mukhdev Yadav @ Mukha Yadav R/o
Village- Khardag, P.S.- Bodhi Bigha, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Mukul Kumari
For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 204-02-2025
1.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.
2.

This application for grant of anticipatory bail arises out of Bodhi Bigha Police Station Case No. 6719.10.2024 of 2024, dated 06.11.2024, disclosing offences punishable under Sections 30(a)/30(c)/30(d) 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 is manufacturing illicit country-made liquor in the forest near Ambabar village, raided the place of occurrence and apprehended one person sitting near the liquor kiln and recovered equipment used for manufacturing illicit liquor. The apprehended person disclosed before the police that



he is a labourer and the petitioner is the owner of the liquor kiln.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on the disclosure of his name by the co-accused person. He further submits that the petitioner has got no concern with the illicit liquor recovered.
5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that the name of the petitioner transpired in this case by the arrested co-accused person and equipment for preparation of illicit liquor was recovered from the forest area where no one except the co-accused was present, 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 No. III, Gaya, in connection with Bodhi Bigha



Police Station Case No. 67 of 2024, 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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