

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3210 of 2025

Arising Out of PS. Case No.-318 Year-2024 Thana- BHELDI District- Saran

Subhash Singh @ Suvas Singh Son of Late Raghuraj Singh Resident of Vill-
Narayanpur, P.S.- Bheldi, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anjani Parashar

For the Opposite Party/s : Mr. Asha Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 19-02-2025 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 Bheldi Police Station Case No. 318 of 2024,
disclosing offences under Sections 30(a) of the Bihar
Prohibition and Excise Act, 2016.

3. As per the prosecution case, during patrolling duty
on 30.09.2024, when the informant reached at Panchruki Bazar,
he received secret information that Subhash Singh and Prince
Kumar had brought english liquor from somewhere in a four
wheeler bearing Reg. no. MH-04CM-3490 and were unloading
the liquor from the vehicle and keeping it behind their house.
On such information, the informant reached near the house of
Prince Kumar and Shubhash Kumar at Narayanpur village. He
saw that two persons were carrying something from the car
behind the house. On seeing the police party, both the persons
started fleeing away and they managed to escape. Mahal



chowkidar disclosed the name of the persons who fled away as Subhash Singh(petitioner) and Prince Kumar. Upon search, 65.5 liters of english wine was recovered from the car bearing Reg. no. MH-04CM-3490. Further 117.5 liters of liquor has been recovered from behind the house of the petitioner kept in plastic bag and cartons.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case on the basis of secret information. Petitioner has been made accused on the basis of disclosure made by Mahal Chowkidar who had inimical terms with the petitioner. The recovery of illicit liquor has been made from behind the house of the petitioner which is an open space accessible to everyone. Petitioner is not the owner of the vehicles seized by the police. Nothing has been recovered from the conscious possession of the petitioner.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that recovery of illicit liquor has been made from a place behind the house of the petitioner and his name has transpired on the basis of disclosure of his name made by Mahal chowkidar and he is not the owner of the vehicle, 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 1st Exclusive Special Excise Court, Saran at Chapra, in connection with Bheldi Police Station Case No. 318 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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