

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2997 of 2025**

Arising Out of PS. Case No.-58 Year-2024 Thana- EXCISE SIMRAHI District- Supaul

ASHOK PANDIT S/o Sitab Pandit @ Sitablil Pandit R/o vill - Sarhochiya,  
ward no. 2, P.s. - Raghopur, Distt.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mrs.Nafisu Zzoha, Advocate

For the Opposite Party/s : Mrs.Nirmala Kumari, APP

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

3      02-05-2025                      1. Heard learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner apprehends his arrest in connection  
with Excise Simrahi P.S. Case no.58 of 2024 registered under  
section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, a secret information  
having been received that the petitioner is involved in the  
business of liquor, the police party conducted raid and 27 liters  
of foreign liquor was recovered from the bathroom of the  
petitioner's house. On seeing police personnel, the accused  
however managed to escape.

4. Learned counsel for the petitioner submits that the  
petitioner has been falsely implicated in the case. No recovery  
has been made from the conscious possession of the petitioner



and the recovery has been shown from his house which is a joint family property and the petitioner has no knowledge as to whom the concerned liquor belongs. Learned counsel for the petitioner further submits that no independent witness is there on the seizure list further indicating violation of mandatory provisions of the B.N.N.S. The petitioner has one criminal antecedent in which he is on bail. The petitioner undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Considering the fact that the alleged recovery has made from the house of the petitioner which is a joint family property, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Excise Simrahi P.S. Case no.58 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise, Court No. 2, Supaul, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to the further condition that the learned Court



below would however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

**(Soni Shrivastava, J)**

harsh/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

