

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8433 of 2025

Arising Out of PS. Case No.-738 Year-2023 Thana- SIKARPUR District- West Champaran

Rangila Sah Son of Late Dewnath Sah Resident of Badgo Ward No.- 1, P.S.-
Shikarpur, District - West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The accused-petitioner, not named in the F.I.R., is apprehending his arrest in connection with Shikarpur P.S. Case No. 738 of 2023 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to have in possession of 50 litres of illicit liquor and engaged in illegal trading/manufacturing of illicit liquor.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner was made accused in this case only for the reason that he is the father of co-accused Nikku Kumar, who was apprehended on spot by the police



personnel. It is submitted that as petitioner was found using motorcycle bearing Registration No. BR22X-7632, which was registered in favour of this petitioner and, only for said technical reason, he was made accused in this case. It is submitted that admittedly no illicit liquor was recovered from conscious physical possession of this petitioner. Petitioner found involved in four criminal cases, where he is on bail.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. In view of the aforesaid factual submissions and by taking note of the fact as implication of petitioner *prima-facie* appears only being the registered owner of the motorcycle, as mentioned above, where admittedly *prima-facie* alleged illicit liquor not appears to be recovered from the physical possession of this petitioner, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from today, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise-II, Bettiah, West



Champaran/concerned court in connection with Shikarpur
P.S. Case No. 738 of 2023, subject to the conditions as laid
down under Section 438(2) of the Cr.P.C/Section 482(2) of
the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”)
and further condition that:

Petitioner was not indulged in similar nature of
case till conclusion of trial, failing which the State
shall be at liberty to press for cancellation of bail
bond of the petitioner before the learned trial
court itself.

(Chandra Shekhar Jha, J)

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