

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9261 of 2025

Arising Out of PS. Case No.-327 Year-2024 Thana- DALSINGHSARAI District- Samastipur

Ujala Sah S/o Late Asarhi Sah @Asharfi Sah Resident of Village- Pranpura
Mukhtarpur Salkhani, Police Station- Dalsinghsarai, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

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

2. The petitioner apprehends arrest in connection with Dalsinghsarai P.S. Case No. 327 of 2024 dated 27.10.2024, instituted for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2018, Section 3/9 of Bihar Loudspeaker Act and Section 5(1) of the Sound Pollution regulation Act, 2000.

3. The prosecution case, in short, is that on 26.10.2024, secret information regarding use of loudspeakers and serving of liquor in a birthday party organized by the petitioner was received by the police party. When the informant and other police personnel reached the house of the petitioner, some people hide themselves, while some of them managed to



escape. Two persons were apprehended from the spot. It is further alleged that 3 litres foreign liquor was recovered from possession of apprehended persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that nothing has been recovered from the conscious possession of the petitioner rather the alleged liquor was recovered from apprehended persons. Petitioner has no concern with the apprehended persons. Learned counsel further submitted that petitioner had organized a birthday party where loudspeakers were being played but no liquor was served in the said party. Lastly, it has been submitted that petitioner has no criminal antecedents.

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

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Dalsinghsarai P.S. Case No. 327 of 2024, he/they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of



the learned Exclusive Special Judge, Excise Court- 01,
Samastipur, subject to condition as laid down under Section
438(2) of the Cr.P.C.

(Khatim Reza, J)

Sankalp/-

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