

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7575 of 2025

Arising Out of PS. Case No.-1837 Year-2024 Thana- Excise P.S. District- East Champaran

Binod Sah @ Vinod Sah Son of Late Mathura Sah Resident of Village -
Mathiya Ward No.07, P.S. - Chhatauni, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Ms. Asha Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 07-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Excise P.S. Case No. 1837 of 2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 135 litres of Nepali liquor was recovered from Mahindra Jeep.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. Petitioner has no knowledge and concern with the alleged recovery. Nothing incriminating has been recovered from the possession of the petitioner. It is submitted that petitioner is



neither the owner nor the driver of the seized vehicle in question. The petitioner has one criminal antecedent in which he is on bail. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted regular bail passed by this Court *vide* orders dated 17.01.2025 and 23.01.2025 in Cr. Misc. Nos. 90279 of 2024 and 2549 of 2025 respectively.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Excise P.S. Case No. 1837 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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