

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11776 of 2025

Arising Out of PS. Case No.-793 Year-2024 Thana- DEHRI TOWN District- Rohtas

Ramesh Ram @ Bhanga @ Ramesh Ram Bhuiya @ Bhaga Son of Late
Somaru Ram Resident of village- Maninagar (Nathuri), Ps- Dehri Town, Dist-
Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sadanand Roy

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 07-04-2025 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 Dehri Town Police Station Case No. 793 of 2024,
dated 24.12.2024, disclosing offence under Section 30(a)
of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report,
is that the police, on secret information that the petitioner
has stored illicit country-made liquor in his house, raided
the house of the petitioner and on seeing the police, one
person came out of the house and fled away, who was
identified by the local person as the petitioner. On search
of the house of the petitioner, the police recovered 66



litres of illicit country-made liquor.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on the disclosure of his name by the local person. He further submits that the petitioner has got no criminal antecedent and the police has implicated him due to ulterior motive inasmuch as during raid, no one was present in the house of the petitioner. He further submits that though the name of the petitioner was disclosed by the local people, but there is no independent witness to the seizure list.
5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that from perusal of the First Information Report and the seizure list, it is apparent that the illicit liquor has been recovered from the house of the petitioner. Accordingly, on perusal of the First Information Report and the seizure list, a *prima facie* case is made out against the petitioner and in view of the Full Bench decision of this Court, in **Criminal Appeal (S.J.) No. 431 of 2019 (Ram Vinay Yadav v. The State of Bihar)**, I am not inclined to exercise my discretion for grant of anticipatory



bail to petitioner.

- 6. This application is, accordingly, dismissed.
- 7. However, if the petitioner surrenders before the concerned Court and seeks regular bail, the same may be considered by the concerned Court on its own merit, if possible on the same date, without being prejudiced by the rejection of the present anticipatory bail application of the petitioner by this Court.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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