

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.10520 of 2025**

Arising Out of PS. Case No.-119 Year-2024 Thana- MANSURCHAK District- Begusarai

Sita Ram Malakar @ Sitaram Malakar S/O Ganesh Malakar R/O Village-  
Chakviduliya, P.S- Bibhutipur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Khushi Awadh, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      22-03-2025

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for bail apprehending his arrest in connection with Mansurchak P.S. Case no.119 of 2024 registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, secret information was received about the petitioner being involved in sale of country liquor. It is stated that on a raid being conducted, while the petitioner managed to escape, 2.25 litres of country liquor was recovered from a bush behind the shop of the petitioner.

4. Learned counsel for the petitioner submits that no incriminating article has been recovered from the petitioner's possession. The petitioner has been falsely implicated in the case. The alleged place of recovery is an open place accessible



to all which cannot be said to be under the exclusive control of the petitioner. The petitioner has no criminal antecedent.

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

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR, the alleged place of recovery of the seized liquor being an open place and the petitioner not having any antecedent under the Bihar Prohibition and Excise Act, 2016, 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 Mansurchak P.S. Case no.119 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-02, Begusarai.

**(Partha Sarthy, J)**

Saurabh/-

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

