

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12463 of 2025

Arising Out of PS. Case No.-55 Year-2024 Thana- HIRAMMA P.S. District- Sheohar

Birendra Sah @ Birendra @ Viredra Sah S/O KISHUNDEO SAH VILLAGE-
HIRAUTA, P.S.- HIRAMMA, DISTRICT- SHEOHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad
For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-02-2025 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Hiramma P.S. Case No. 55 of 2024 dated 25.09.2024 registered under Sections 30(a) / 41 (1) of the Bihar Prohibition & Excise Amendment Act, 2022 (Amended).

3. As per the first information report on 25.09.2024 Police intercepted one E-Rickshaw on which four persons were sitting and upon seeing the Police party they started fleeing away, however, two persons were arrested and two succeeded in fleeing away. The arrested co-accused persons disclosed the name of the petitioner and other, who succeeded in fleeing away. Upon search, 17.250 liters of liquor has been recovered from the E-Rickshaw.

4. Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has



falsely been implicated in this case on the basis of disclosure of his name by the arrested co-accused persons. The E-Rickshaw from where liquor has been recovered does not belong to the petitioner and he is also not the driver of the same.

5. Regard being had to the submission made by the parties, taking into consideration the fact that petitioner is neither the owner nor driver of the E-Rickshaw and liquor has not been recovered from his conscious possession or vehicle belonging to him, as such, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise, Sheohar in connection with Hiramma P.S. Case No. 55 of 2024 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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(Anil Kumar Sinha, J)

