

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13109 of 2025**

Arising Out of PS. Case No.-163 Year-2023 Thana- KHUTAUNA District- Madhubani

Bhagwan Lal Sah @ Bhagwan Lal Sahu S/O Rameshwar Sahu Village-  
Bairbona Siswar, P.S.- Khutauna, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Jitendra Kumar Bharti, Adv

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, APP

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

2      02-04-2025                      Heard learned counsel for the petitioner and the  
State.

2. Petitioner apprehends his arrest in connection with  
Khutauna P.S. Case No. 163 of 2023 registered for the offences  
punishable under Sections 272, 273 of the Indian Penal Code  
and section 30(a) of the Bihar Prohibition & Excise Act.

3. From perusal of the first information report as also  
the seizure list, it would appear that recovery of 24 liters of  
Nepali country made liquor was recovered from a sack which  
was kept on a motorcycle. It would appear from the order  
passed by the court below rejecting the bail application that the  
petitioner happens to be the owner of the said motorcycle.

4. The learned counsel for the petitioner has made  
statement in paragraph-9 of the petition that although, he is the



owner of the said motorcycle but he has given the motorcycle to his brother for taking his wife for treatment. It is further submitted that nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent.

5. Considering the facts and circumstances and also considering that the petitioner has clean antecedent, I am inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, in the event of his arrest/ surrender within a period of four weeks from today the petitioner shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Jhanjharpur, Madhubani in Khutauna P.S. Case No. 163 of 2023, subject to condition as laid down under Section 438(2) of the Cr.P.C and subject to the further condition that the petitioner shall co-operate in investigation/ trial.

(Soni Shrivastava, J)

N.K/-

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