

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13271 of 2025**

Arising Out of PS. Case No.-390 Year-2023 Thana- MADHAURAH District- Saran

Biju Sah Son of Dineshwar Sah Resident of Village - Aware, P.S. -
Marhowrah, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raushan Raj, Advocate

For the Opposite Party/s : Ms. Sucheta Yadav, APP

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

ORAL ORDER

2 28-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Madhaurah P.S. Case No. 390 of 2023 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 624.420 litres of liquor was recovered from water tank.

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 seized liquor has been recovered from water tank which is in possession of Ranjan Singh Son of Nirmala Devi, who is member of Ward No. 10, as such petitioner has no concern either from the water tank or from the recovered liquor. It is further submitted that local people disclosed the name of the petitioner. The petitioner has no criminal antecedent. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted anticipatory bail by this Court vide order dated 05.03.2024 passed in Cr. Misc. No. 75626 of 2023.

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) 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 Madhaurah P.S. Case No. 390 of
2023, subject to the conditions as laid down under Section
482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

U		T	
---	--	---	--

