

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15530 of 2025

Arising Out of PS. Case No.-81 Year-2025 Thana- Excise P.S. District- Aurangabad

Dilip Ram Son of Umesh Ram village -Chamar Toli, P.S -Madanpur, District
-Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate

For the Opposite Party/s : Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

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

2. The petitioner is apprehending arrest in connection with G.R. No. 1291 of 2025 arising out of Excise P.S. Case No. 81/2025 registered on 20.01.2025 for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018, pending before the learned Special Judge of Excise-II, Aurangabad.

3. As per prosecution, total recovery of 9.875 liters Indian Made Foreign Liquor, is the subject matter of the present case.

4. It is submitted by the learned counsel for the petitioner that the petitioner is innocent and has committed no offence. In fact, recovery of alleged illicit liquor has not been



made from the possession of the petitioner, rather the said recovery has been made from the possession of co-accused Samundri Devi, who has been arrested from the place of seizure. The name of the petitioner has surfaced in this case only by virtue of confession of co-accused, Samundari Devi. The petitioner has neither any concern with the alleged illicit liquor nor with co-accused, Samundri Devi. The antecedents of the petitioner is not clean as she is accused in another criminal case.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the petitioner is accused in one another case of similar nature. Moreover, in view of Section 76(2) of the Bihar Prohibition and Excise Act, 2016, the anticipatory bail application is not maintainable.

6. In the aforesaid background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected.

(Dr. Anshuman, J)

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