

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18909 of 2025

Arising Out of PS. Case No.-11 Year-2025 Thana- ADAPUR District- East Champaran

1. Raj Narayan Ram Son of Naresh Ram Resident of Village - Murtiya Thakurai Tola, P.S. - Adapur, District - East Champaran
2. Rambabu Ram Son of Kishori Ram Resident of Village - Murtiya Thakurai Tola, P.S. - Adapur, District - East Champaran
3. Rakesh Tiwari Son of Late Bacha Tiwari Resident of Village - Thuthi Belwa, P.S. - Adapur, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate
For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-04-2025 Heard Mr. Manoj Kumar, learned counsel appearing on behalf of the petitioners and Mr. Mohammed Arif, learned APP for the State.

2. At the outset, learned counsel appearing on behalf of petitioners has informed that petitioner nos.2 and 3, namely Rambabu Ram and Rakesh Tiwari, have already been arrested and seeks to withdraw the anticipatory bail application filed on behalf of them.

3. Permission is accorded.

4. Petitioner no.1 apprehends his arrest in connection with Adapur P.S. Case No. 11 of 2025 registered under Sections



30(a) of the Bihar Prohibition & Excise Act (amended up to date) Act, 2016.

5. As per the allegation made in the FIR, total 80 liters of illicit liquor was recovered from an open space.

6. Learned counsel appearing on behalf of the petitioner no.1 submitted that petitioner no.1 is innocent and he has falsely been implicated in the present case. The petitioner no.1 has no concern with the alleged seized liquor. The alleged recovery of illicit liquor was made from an open space. The petitioner no.1 is not involved either in manufacturing or in trade of illicit liquor, which is prohibited in the State of Bihar. The petitioner no.1 has clean antecedent. On these grounds, petitioner no.1 seeks to be released on pre-arrest bail.

7. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

8. Considering the allegation made in the FIR, I am of the opinion that the petitioner no.1 has, *prima facie*, made out a case to be released on anticipatory bail.

9. The learned District Court is directed to release the petitioner no.1 on anticipatory bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/-



(Ten thousand) with two sureties of the like amount each, to the satisfaction of learned Exclusive Special Excise Judge-2, East Champaran, Motihari in connection with Adapur P.S. Case No. 11 of 2025, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

10. The learned District Court is directed to verify the criminal antecedent of the petitioner no.1, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J.)

Ashishsingh/-

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

