

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20927 of 2025

Arising Out of PS. Case No.-390 Year-2023 Thana- BAISI District- Purnia

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Anand Sah Son of Shrawan Sah R/o Village - Vivekanand Colony, Purnea,
P.S.- Purnea, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sumit Kumar Bhagat

For the Opposite Party/s : Mr.Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-04-2025

Heard the parties

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Baisi P.S. Case No. 390 of 2023 registered for the offences punishable under Section 30(a), 42 and 47 of the Bihar Prohibition and Excise Act, 2018.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 13.650 litres of IMFL/country made liquor.

4. It is submitted by learned counsel



appearing on behalf of the petitioner that petitioner implicated with present case only being registered owner of motorcycle bearing registration no. BR 39 AC 2685. It is further pointed out that the petitioner was not apprehended on spot. In this context it is further submitted that before two days of the present recovery, the motorcycle of petitioner was stolen for which proper information was given to local police but by that time the information was not reduced to the FIR. While concluding the argument, it is submitted that petitioner is a man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of the fact as, recovery of illicit liquor *prima-facie* not appears to be made from the conscious physical possession of this petitioner, who is a man of clean antecedent, accordingly above-named



petitioner, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise, Court no. 1, Purnea /concerned Court, where the case is pending in connection with Baisi P.S. Case No. 390 of 2023, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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