

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22596 of 2025

Arising Out of PS. Case No.-50 Year-2025 Thana- Bikramganj Excise District- Rohtas

Satyendra Singh @ Satendra Kumar Son of Radheshyam Singh Resident of
Village -Kanchanpur Amarth Police Station- Karakat District- Rohtas at
Sasaram

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh, Advocate
For the Opposite Party/s : Mrs.Asha Devi,APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 01-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Excise Case No. 126 of 2025, F.I.R. No. 50 of 2025, registered for the offences punishable under Sections 30(a) and 30(c) of the Bihar Prohibition and Excise Act, 2018.

3. The allegation against the petitioner is to have in possession of 140 litres of illicit liquor and engaged in illegal trading/manufacturing of illicit liquor.

4. Learned counsel appearing on behalf of the petitioner submitted that as per seizure list, alleged recovery of illicit liquor appears to be made from a mango orchard. It is



submitted that name of petitioner transpired on the basis of secret information provided by unknown co-villagers. It is submitted that place of recovery being an open place accessible by general public and, therefore, recovery of illicit liquor cannot be said to be made from physical possession of this petitioner. It is submitted that petitioner found involved in one more case of similar nature, in which he is on bail.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. In view of the aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima-facie* not appears to be made from conscious physical possession of this petitioner rather from an open place accessible by general public, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Court No. 1, Rohtas at Sasaram, in connection with Excise Case No. 126 of 2025, F.I.R. No. 50 of 2025,



subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”) and further condition:

That petitioner shall not indulge in similar nature of case till the conclusion of trial, failing which the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(Chandra Shekhar Jha, J)

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