

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24342 of 2025

Arising Out of PS. Case No.-29 Year-2025 Thana- UPHARA District- Aurangabad

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Akhilesh Pasi @ Kail Pasi @ Nawlesh Pasi Son of Lakhichandra Pasi R/o
Vill.- Hamidnagar, P.S.- Uphara, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Nandan Abhishek

For the Opposite Party/s : Mr. Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 02-05-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Uphara Police Station Case No. 29 of 2025, disclosing offences under Sections 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.
3. As per the prosecution case, on 26.02.2025, during patrol duty, police received a secret information that Akhilesh Pasi was storing liquor in a wheat field. When police party arrived at the place of occurrence, a person who was identified by locals as Akhilesh Pasi, started fleeing away and succeeded in the same. On search, total of 5 liters of country-made liquor was recovered from the said field.
4. Learned Counsel for the petitioner submits that



the petitioner has not committed any offence in the manner alleged. Petitioner was not present at the spot and no incriminating article has been recovered from the conscious possession and/or premises of the petitioner. Petitioner has been made accused merely on the basis of disclosure of his name by the local people. Recovery of illicit liquor has been made from a field which is an open space accessible to everyone. Petitioner is having no criminal antecedent.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having no criminal antecedent, he has been made accused on the basis of disclosure of his name by the local people and illicit liquor has been recovered from a field which is an open space accessible to everyone, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, II, Aurangabad, in connection with Uphara Police Station Case No.



29 of 2025, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

HarshPandey/-

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