

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26617 of 2025

Arising Out of PS. Case No.-378 Year-2024 Thana- DARAUNDA District- Siwan

Santosh Pasi Son of Parsuram Pasi @ Pashuram Pasi Resident of Village -
Bagora Pasi Tola, P.S. - Dharoundha, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Shyamli Kumari, Adv.

For the Opposite Party/s : Mr.Jagdhari Prasad, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Dharoundha PS Case No. 378 of 2024 dated 25-08-2024,
instituted under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2022.

3.The allegation is of the recovery of 40 litres of illicit
country-made liquor from the bush behind the boundary wall of
the cowshed of Binod Kumar Sah, situated at Village Bagaura,
Pasi Tola.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. It is submitted that no recovery has been made
either from the conscious possession of the petitioner or from



his house. The alleged place of recovery does not belong to the petitioner and is, in fact, an open place accessible to the general public. The petitioner has been made an accused on the basis of secret information received by the police. Lastly, it has been submitted that the petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstance of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.1, Siwan, in Dharoundha PS Case No. 378 of 2024, subject to the conditions laid down in Section 482(2) of the *Bharatiya Nagarik Suraksha Sanhita* 2023.

7. The application stands allowed.

(Khatim Reza, J)

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