

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23555 of 2025

Arising Out of PS. Case No.-39 Year-2024 Thana- Pahelja P.S. District- Saran

Bablu Kumar @ Bablu @ Bablu Ray S/O Akhilesh Ray R/O Vill.-
Bariyarchak, P.S- Nayagaon, Distt.- Saran at Chapra (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-04-2025 Heard Learned Counsel for the petitioner and Learned
A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Pahleja P.S. Case No. 39 of 2024 lodged on 30.04.2024, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution, FIR has been lodged against the sole petitioner. Total recovery of 30 litres of illicit liquor has been made which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that petitioner was not arrested from the place of



occurrence and his name has come in this case only by virtue of the disclosure made by the co-villagers. Counsel submits that the alleged recovery has been made from the bush and nothing has been recovered from the petitioner's possession. Counsel further submits that the criminal antecedent of the petitioner is not clean as there is one case pending against him which is of Excise Act.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that criminal antecedent of the petitioner is not clean as there is one case pending against him which is of Excise Act and this aspect must be taken into consideration.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

7. It is hereby directed to the petitioner to surrender before the Trial Court within a period of six weeks from today. In case, the petitioner surrenders within six weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day considering the fact that whether the ingredients of Excise Act has been made out against petitioner or not, without being prejudice that the anticipatory



bail of the petitioner has been rejected by this Court and the
Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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