

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26896 of 2025

Arising Out of PS. Case No.-58 Year-2025 Thana- MALI District- Aurangabad

Raju Singh S/O Late Manki Singh Chandravanshi Village- Kulhariya, P.S.-
Mali, Dist.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukul Kumari, Advocate
For the Opposite Party/s : Mr. Md. Aslam Ansari, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-05-2025 Heard Learned Counsel for the petitioner and Learned
A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Mali P.S. Case No. 58 of 2025 lodged on 10.03.2025, 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 112.5 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 the alleged recovery of liquor has been made from the joint family house of the petitioner, but petitioner is not the owner. Counsel further submits that the petitioner has no criminal antecedent.



5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that if, petitioner belongs to the joint family house, then he shall definitely be the owner and the plea taken by the petitioner is not sustainable.

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 with liberty that if, petitioner surrenders before the Trial Court within a period of six weeks from today then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day 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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