

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30180 of 2025**

Arising Out of PS. Case No.-151 Year-2025 Thana- SONEPUR District- Saran

=====

Bablu Kumar S/o Sanjay Singh R/o Village- Gangajal Tola, P.S.- Sonpur,
District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Ms.Sangeeta Sharma, APP

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 15-05-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection
with Sonpur P.S. Case No. 151/2025 registered on 22.02.2025
for the offences punishable under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, the total recovery 255 liters
of illicit liquor is the subject matter of the present case..

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has not committed any offence. It is contended that nothing has been recovered from the conscious and physical possession of the petitioner. The alleged recovery was made from the embankment of a river, which is an open place and does not belong to the petitioner. The petitioner's name has been implicated in the present case solely on the basis of a disclosure made by the local chaukidar. It is, however, also admitted that the criminal antecedents of the petitioner are not clean, as he is an accused in two other criminal cases.

5. Learned APP for the State opposes the prayer for bail and submits that the antecedents of the petitioner are not clean, as he is an accused in two other cases, all of which have been registered under the Excise Act. This, according to the State, indicates that the petitioner is a habitual offender and has been engaged in the liquor trade for a considerable period.

6. In this background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with Sonpur P.S. Case No. 151 of 2025, pending before the learned Exclusive Special Excise Judge-2, Saran at Chapra, is hereby rejected.

7. However, if the petitioner surrenders before the Trial Court within six weeks from today, the Trial Court is



directed to pass an order on his surrender-cum-bail application on the same day, considering the ingredients of the Excise Act against the petitioner, without being prejudiced by the fact that the petitioner’s anticipatory bail has been rejected by this Court.

(Dr. Anshuman, J)

Ashwini/-

U		T	
---	--	---	--

