

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29857 of 2025

Arising Out of PS. Case No.-25 Year-2025 Thana- LADANIA District- Madhubani

Ramu Das @ Manoj Kumar Das Son of Harekrishna Das Resident of Village
- Sidhapkala, Police Station - Ladaniya, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashad, Adv.

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 14-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner is apprehending arrest in connection with Ladaniya P.S. Case No. 25 of 2025 registered for the offences punishable under Sections 274, 275 of B.N.S., 2023 and section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, informant received secret information that petitioner has kept illicit liquor under the heap of straw. On the said information, police reached at the place of occurrence and recovered 315 liters illicit liquor from the heap of straw.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the first information report and he has been falsely implicated in this case. The name of the petitioner has transpired on the



basis of secret information but the source of such information has not been disclosed in the F.I.R. The place from where the alleged recovery has been made is an open place and accessible to all and petitioner cannot be held liable for the alleged recovery. Petitioner is not the owner of the alleged heap of straw. Petitioner is not in any way connected with the alleged occurrence. No incriminating article has been recovered from possession of the petitioner. Further, seizure list has not been made as per law. Petitioner bears no criminal antecedent. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner, above named, in the event of arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction



of Addl Session/District Judge II-cum-Special Judge, Excise Act, Madhubani in connection with Ladaniya P.S. Case No. 25 of 2025, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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