

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27875 of 2025

Arising Out of PS. Case No.-172 Year-2025 Thana- AURANGABAD TOWN District-
Aurangabad

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Bhola Bhuiya S/o- Bihari Bhuiyan, R/o- Dhani Bigh, P.S.- Town Distt-
Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Singh, Advocate.
For the Opposite Party/s : Mr. Kanhiya Kishor, APP.

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 21-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Town P.S. Case No.172 of 2025 instituted under Section
30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of
79.05 litre of country made liquor from the bush in front of the
house of the petitioner and it is alleged that the petitioner fled
away from the spot.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case only on the basis of suspicion. He further submits that the
recovery of liquor is made from an open place which is



accessible to public at large. Learned counsel submits that the petitioner has no concern with the seized liquor. He further submits that the petitioner has no criminal antecedent and he undertakes to cooperate in the investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances 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/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned District & Additional Sessions Judge cum Special Excise Court No.1, Aurangabad in connection with Town P.S. Case No.172 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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