

Arising Out of PS. Case No.-91 Year-2025 Thana- BAHERA District- Darbhanga

... .. Petitioner/s

Versus

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ugranath Mallik, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, 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 Bahera P.S. Case No. 91 of 2025, dated 10.03.2025, lodged under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022, pending before the Court of Exclusive Special Judge-II, (Excise Act), Darbhanga.

3. As per the prosecution, total recovery of 763.920 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. It is further submitted that nothing has been recovered from the conscious possession of the petitioner, and he has been unnecessarily made accused in the present case. Counsel further submits that the petitioner's name has figured in this case by virtue of the



confessional statement of the driver of the truck. Counsel further submits that the petitioner does not have a clean antecedent, as three criminal cases are pending against him. Counsel also submits that the petitioner is ready and willing to comply with any conditions whatsoever that may be imposed upon him.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the petitioner does not have a clean criminal antecedent.

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

7. It is directed to the petitioner to surrender before the Trial Court within a period of 6 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 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.)

Aman Kumar/-

U			
---	--	--	--

