

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29865 of 2025

Arising Out of PS. Case No.-85 Year-2025 Thana- MINAPUR District- Muzaffarpur

Naresh Das S/o- Late Chulahai Das Village- Pakhnaha Jitavar Ps- Minapur,
(Panapur O.P.) Dist.-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyesh Kumar

For the Opposite Party/s : Mrs. Asha Kumari

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Minapur P.S. Case No. 85/2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition of Excise Act.

3. As per prosecution case, there is alleged recovery of 154.620 liters illicit foreign liquor from the husk house of the petitioner as well as maize field.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. The petitioner has inimical term with the local Chaukidar who disclosed the name of the petitioner and the petitioner has falsely been implicated in this case. Except



disclosure, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. The petitioner bears no criminal antecedent. The petitioner was not found at the place of occurrence. No incriminating article has been recovered from the possession of the petitioner. The petitioner is not the owner of the said husk house. He further submits that the petitioner has no concern with the seized liquor or place of recovery. The petitioner is not in any way connected with the alleged occurrence. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provision of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State opposed 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 his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like



amount each to the satisfaction of learned Court of learned
Exclusive Special Court Excise-I, Muzaffarpur in connection
with Minapur P.S. Case No. 85/2025, subject to the conditions
as laid down under Section 482 (2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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