

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32024 of 2025

Arising Out of PS. Case No.-110 Year-2023 Thana- Excise Benipatti District- Madhubani

Ganga Ram Baitha S/O Mithu Baitha Resident of Village- Raghauli, PS-
Bisfi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 26-06-2025 1. Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Excise Benipatti P.S. Case no.110 of 2023 registered under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, 180 liters of nepali
liquor was recovered from a motorcycle bearing Registration
No. BR32Q6879 which was driven by accused Ramesh Kumar
Mahto.

4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the case. The petitioner
is not named in the F.I.R and cause of his false implication is
only for the reason that he happens to be the registered owner of
the seized motorcycle. No recovery has been made from



physical or conscious possession of the petitioner. The petitioner has no criminal antecedent and undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. In view of the facts of the case that the petitioner has no criminal antecedent as also no recovery has been made from physical or conscious possession from him, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Excise Benipatti P.S. Case no.110 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court below where the case is pending/successor Court, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

Harsh/-

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