

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32056 of 2025

Arising Out of PS. Case No.-1 Year-2025 Thana- Raghunathpur District- East Champaran

Sahil Kumar S/O Chandeshwar Paswan R/O Village- Raghunathpur, P.S-
Raghunathpur, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Raghunathpur P.S. Case No. 01 of 2025 registered for the alleged offence under Section 30(a) of Bihar Prohibition & Excise Act, 2016.

03. As per prosecution case, police received secret information about petitioner keeping illicit liquor in the bamboo clump of one Mantu Shrivastava. A raid was conducted and the petitioner fled away from the spot. On search of the place, recovery of 1.440 liters of India made foreign liquor was made.

04. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Petitioner is not the owner of the bamboo clump and has



no concern with the said place and the liquor seized from there. Moreover, the recovery is from a place which is accessible to all. Learned counsel further submits that no recovery of any incriminating article has been shown from the person or possession of the petitioner and no offence under the provisions of Bihar Prohibition & Excise Act is made out. The petitioner is victim of false implication. The petitioner is having clean antecedent.

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

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that no recovery has been shown from the conscious possession of the petitioner and also considering his clean antecedent coupled with possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No. 1, Motihari, East Champaran/court concerned in connection with Raghunathpur P.S. Case No. 01 of 2025,



subject to the condition laid down under Section 482(2) of BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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