

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34106 of 2025

Arising Out of PS. Case No.-337 Year-2024 Thana- Excise P.S. District- Supaul

Sanjay Ram @ Sanjay Kumar S/o Ramnaresh Ram R/o Village- Lalpatti,
Ward No. 1, P.S.- Pipra, District- Supaul

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Amrit Abhijat

For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 22-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Prohibition Supaul P.S. Case No. 337 of 2024 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2016 (as Amended in 2018).

3. As per prosecution case, 45 litre illicit country made liquor was recovered from a bush which was situated behind the house of the petitioner. Local people disclosed the name of petitioner who fled away from the spot.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case.



Petitioner bears no criminal antecedent. He further submits that basically, place of recovery is not behind the house of the petitioner rather it is situated 200 metre south-west of house of the petitioner and petitioner is not owner of the land from where alleged liquor is said to have been recovered. He further submits that no incriminating article has been recovered from conscious possession of the petitioner. Petitioner was not found on the place of occurrence. Petitioner has no concern with the seized liquor. In the light of 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 opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of the 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 Exclusive Special



Judge, Excise Court-2, Supaul in connection with Prohibition
Supaul P.S. Case No. 337 of 2024, subject to the conditions as
laid down under Section 482(2) of B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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