

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34835 of 2025

Arising Out of PS. Case No.-552 Year-2024 Thana- CHHATAUNI District- East Champaran

Parmeshwar Kumar Son of Late Akaloo Sah @ Aklu Sah Resident of village -
Mathia Dih, P.S.- Chhatauni, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

Mr. Hemant Ray

For the Opposite Party/s : Mr.Umeshanand Pandit

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 Chhatauni P.S. Case No.552 of 2024 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act,2016.

3. As per prosecution case, there was alleged recovery of 30 litre country made liquor from the garden and local people disclosed the name of petitioner who is involved in the business of illicit liquor.

4. Learned counsel for the petitioner submits that petitioner is not the owner of the garden from where the



alleged recovery was made. He further submits that petitioner is not found at the place of occurrence. Petitioner has no concern with the alleged recovered liquor. Except disclosure of local people, there is nothing on record to connect the petitioner with the alleged occurrence. Petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner bears criminal antecedent of one case in which he is already on bail. Nothing has been recovered from the conscious possession of the petitioner. In the light of aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, 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 Special Judge, Excise Court No.1, Motihari, East Champaran in connection with Chhatauni P.S. Case No.552 of 2024, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

(Alok Kumar Pandey, J)

vashudha/-

U		T	
---	--	---	--

