

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35993 of 2025

Arising Out of PS. Case No.-66 Year-2025 Thana- Bikramganj Excise District- Rohtas

Jyoti Prakash son of Late Jagdamba Singh Resident of village- Bhundadih,
P.S.-Dawath, Dist-Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv.

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Excise Case No. 157/2025 corresponding to Bikramganj Excise P.S. Case No. 66/2025 registered for the offences punishable under Sections 30(a) and 62 of the Bihar Prohibition of Excise Act.

3. As per prosecution case, there is alleged recovery of 74.596 liters foreign liquor from the house of the petitioner.

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 due to village politics. He further submits that the no recovery has



been made from the house of the petitioner rather the said recovery was made from the bush near the house of the petitioner. He further submits that the petitioner was not present at the place of occurrence as he had gone to Sasaram for doing menial job as a labour and in his absence the police had arbitrarily and malafidely apprehended the wife of the petitioner. The petitioner bears no criminal antecedent. No incriminating article has been recovered from the possession of the petitioner. The petitioner has no concern with the seized liquor. The petitioner is not in any way connected with the alleged occurrence. Seizure list has not been prepared as per law. 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 of 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 Exclusive Special Judge, Court No.1, Rohtas at Sasaram in connection with Excise Case No. 157/2025 corresponding to Bikramganj Excise P.S. Case No. 66/2025, 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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