

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35985 of 2025

Arising Out of PS. Case No.-82 Year-2025 Thana- MIRGANJ District- Gopalganj

Hareram Sah @ Hareram Prasad Son of Dwarika Prasad Resident of Village
At - Mirganj, South Mohalla, Ward No.- 21, P.S.- Mirganj, District -
Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Ms.Rita Verma

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 Mirganj P.S. Case No. 82 of 2025 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2022.

3. As per prosecution case, altogether 37.935 litre illicit liquor was recovered from rented room of 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 at the instance of owner of the house. Petitioner bears no criminal antecedent. He further submits that petitioner is not renter of



house of Surendra Prasad from where the alleged recovery has been made. Petitioner was not found on the place of occurrence. Petitioner has no concern with the seized liquor. Basically, no incriminating article has been recovered from possession of the petitioner. Petitioner has no concern with the place of recovery. 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 Additional Sessions Judge-IV-cum Special Judge, Excise Court No. II, Gopalganj in connection with Mirganj P.S. Case No. 82 of 2025, 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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