

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37248 of 2025

Arising Out of PS. Case No.-357 Year-2025 Thana- AHIYAPUR District- Muzaffarpur

Sunil Sah S/o Yogendra Sah R/o Village- House no 53, Mustafapur, PS-
Ahiyapur, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs.Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 18-06-2025 Heard Mr. Mritunjay Kumar, learned counsel for the
petitioner and Mrs. Pronoti Singh, learned APP for the State.

2. The petitioner is apprehending arrest in connection with Ahiyapur P.S. Case No. 357 of 2025 instituted under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022 lodged on 11.03.2025 by the informant, Ankura Sinku.

3. As per the Police FIR, on secret information, the place was raided and there is recovery/seizure of 103 liters of beer and 35.460 liters of foreign liquor, totalling 138.460 liters of liquor. This led to the FIR against the accused persons as the locals gave their names.

4. Learned counsel for the petitioner submits that he has no criminal antecedent, due to enmity, the locals gave his



name, nothing has been recovered from his conscious possession nor he has criminal antecedent.

5. The last submission is that irrespective of the outcome of the present case and/or accepting the allegation, the petitioner intends to contribute Rs.15,000/- to the District Legal Services Authority, Muzaffarpur for beautification of Civil Court Campus, Muzaffarpur through Demand Draft issued by the local branch of the State Bank of India and the receipt has to be submitted before the Trial Court.

6. Learned APP opposes the prayer submitting that the locals have given the name of the persons who left behind the foreign liquor.

7. Taking into account the submissions of the parties as also that nothing has been recovered from his conscious possession nor he has criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs.15,000/- to the District Legal Services Authority, Muzaffarpur for beautification of Civil Court Campus, Muzaffarpur through Demand Draft issued by the local branch of the State Bank of India and the receipt has to be submitted before the Trial Court.

8. Let the petitioner be released on bail, in the event



of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Ahiyapur P.S. Case No. 357 of 2025 to the satisfaction of learned Exclusive Special Court Excise-1, Muzaffarpur subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

9. Let a copy of this order be communicated to the learned Principal District and Sessions Judge, Muzaffarpur for his perusal and needful.

(Rajiv Roy, J)

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