

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40751 of 2025

Arising Out of PS. Case No.-47 Year-2024 Thana- Bhopatpur District- East Champaran

Rambabu Sahani @ Rambabu Sahni Son of Late Sidhyal Sahani Resident of
Village - Bhopatpur Malahi Tola Ward No.- 7, P.S.- Bhopatpur, District - East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-07-2025 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 30(a), 32 and 41(i) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 14 litres of country made liquor was recovered from the bamboo orchard situated behind the house of the petitioner.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from conscious possession of this petitioner and he has falsely been implicated in this case merely on suspicion. The alleged illicit liquor has been recovered from an open place,



which is accessible to one and all. Petitioner has got one criminal antecedent of similar nature in which he is already on bail.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the nature of accusation and the fact that no incriminating article has been recovered from conscious possession of this petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (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 Bhopatpur P.S. Case No. 47 of 2024, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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