

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41285 of 2025

Arising Out of PS. Case No.-86 Year-2025 Thana- MAINATAND District- West Champaran

Ramesh Kumar Patel @ Ramesh Patel @ Angrej Patel S/o Arjun Patel R/o
Village- Langadi, Bastha, P.S.- Mainatand, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Gupta

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Mainatand P.S. Case No. 86/2025 registered for the offences punishable under Sections 274 and 275 of the B.N.S.S. as well as Section 30(a) of the Bihar Prohibition of Excise Act.

3. As per prosecution case, there is alleged recovery of 03 liters Nepali Kasturi liquor from the field of Maqbool Sheikh which is situated behind the house of the petitioner. Local Chowkidar disclosed the name of the petitioner who fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged



in the FIR. Except disclosure of local Chowkidar, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. He orally submits that the petitioner has inimical term with the local Chowkidar due to which the petitioner has falsely been implicated in the present case. The petitioner bears two criminal antecedent in which he is on bail. The petitioner was not found at the place of occurrence. No incriminating article has been recovered from the possession of the petitioner or his house. The petitioner has no concern with the seized liquor. The petitioner is not the owner of the said field. He further submits that place of recovery is open place which is accessible to all. 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 aforesaid sections.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner and submits that there is alleged recovery of 03 liters Nepali Kasturi liquor behind the house of the petitioner and he does not deserve bail.

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 Court of learned Exclusive Special Judge, Excise Court-II, Bettiah, West Champaran in connection with Mainatand P.S. Case No. 86/2025, 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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