

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43370 of 2025

Arising Out of PS. Case No.-221 Year-2025 Thana- UDWANTNAGAR District- Bhojpur

Panchratan Singh Son of Badha Singh R/O Vill- Asni, Udawantnagar,
District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Priya, Adv.

For the Opposite Party/s : Mr.Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner is apprehending arrest in connection with Udawantnagar P.S. Case No. 221 of 2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per prosecution case, on secret information that two persons on a motorcycle are about to go to Malthar from Ashni with illicit country made liquor, police reached at the place of occurrence. On seeing police, two persons started fleeing away. One Nandji Kumar was apprehended at the spot and the other person managed to flee away. Apprehended accused disclosed the name of the present petitioner who is said to have been involved in preparation of illicit liquor. There is



alleged recovery of 112 liters illicit liquor from the motorcycle in question.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the first information report. Petitioner is not the owner of the motorcycle in question, as mentioned in para 10 of the petition. He further submits that except disclosure of the apprehended co-accused, there is nothing on record to connect the present petitioner with the alleged occurrence. There is no compliance of section 103 B.N.S.S. Petitioner bears criminal antecedent of two cases in which he is on bail and just because of having criminal antecedent he has been falsely implicated in the present case. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner.

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 arrest or surrender within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bond of Rs. 10,000/-
(Rupees Ten Thousand) each with two sureties of the like
amount each to the satisfaction of Exclusive Special Excise
Court No. II, Bhojpur at Ara in connection with Udawantnagar
P.S. Case No. 221 of 2025, subject to the conditions as laid
down under section 482(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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