

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42730 of 2025

Arising Out of PS. Case No.-138 Year-2023 Thana- KANHAULI District- Sitamarhi

Umesh Sah S/o Bindeshwar Sah R/V-Majhauria, P.S- Bela, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 14-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Kanhauli P.S. Case no. 138 of 2023 instituted for the offence under Section 30 (a) of the Bihar Prohibition of Excise Act.

3. Prosecution case relates to recovery of 375 ml. Nepali saufi illicit liquor from motorcycle at the time of patrolling near Kanhauli Oralhiya Mor.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. In para 12 of the petition, it is mentioned that petitioner had sold



the alleged vehicle to one Shatrughan Kumar in the year 2017 but ownership could not be transferred, so he has been falsely implicated in this case. Petitioner has no concern with the alleged recovery. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

5. Learned APP appearing for the State has opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the recovery of meagre quantity liquor, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Kanhauli P.S. Case no. 138 of 2023, he will be enlarged on 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 Exclusive Spl. Excise Judge-I, Sitamarhi subject to the conditions as laid down under section 482 of B.N.S.S.

(S. B. Pd. Singh, J)

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