

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43330 of 2025

Arising Out of PS. Case No.-207 Year-2025 Thana- MADHUBANI TOWN District-
Madhubani

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Raja Sah @ Raja Kumar S/o Vijay Sah R/o Village- Gadiyani, Madhubani,
P.S.- Madhubani Town, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar Sah
For the Opposite Party/s : Mr.Ramesh Chandra

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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. The petitioner is apprehending his arrest in connection with Town P.S. Case No. 207 of 2025 arising out of G.R case No. 672 of 2025 registered for the offences punishable under Sections 30(a) and 37 of Bihar Prohibition and Excise Act.

3. As per prosecution case, there is alleged recovery of 69.25 litre foreign liquor from the car in question and co-accused, Sonu Kumar, was apprehended on the spot who disclosed that alleged foreign liquor was to be supplied to the petitioner.

4. Learned counsel for the petitioner submits that



petitioner is innocent and has committed no offence as alleged in the FIR. Petitioner bears criminal antecedent of four cases in which he is on bail. He further submits that just because of having criminal antecedent, petitioner has falsely been implicated in the case. Learned counsel further submits that except disclosure of co-accused, Sonu Kumar, there is nothing on record to connect the petitioner with the alleged occurrence. It is further submitted that due to previous enmity with co-accused, Sonu Kumar, petitioner has falsely been implicated in the case. Learned counsel orally submits that petitioner is not the owner of the car in question. Petitioner has no concern with the alleged recovered liquor or car in question. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel orally submits that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner and submits that 69.25 litre illicit liquor was recovered from the car in question and petitioner cannot escape from the liability of the alleged recovery.

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 Exclusive Special Judge (Excise Court), Madhubani in connection with Town P.S. Case No. 207 of 2025 arising out of G.R case No. 672 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this Court is not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Alok Kumar Pandey, J)

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