

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43304 of 2025

Arising Out of PS. Case No.-571 Year-2025 Thana- ALAMGANJ District- Patna

Sita Ram @ Sita Ram Yadav S/o Seth Jee @ Setha Rai R/o Mohalla- Dadar
Mandi, Naya Tola, P.S.- Alamganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

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 Alamganj P.S. Case No. 571 of 2025 registered for the offences punishable under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 166 litre country made Mahua liquor was recovered from the house of the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. He further submits that the place of recovery is joint house property and petitioner cannot be held liable for the alleged recovery. Petitioner was not found at the place of occurrence. 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. Petitioner bears criminal antecedent of two cases in which he is on bail. He further submits that just because of having criminal antecedents petitioner has falsely been implicated in the present case.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner by submitting that 166 litre country made Mahua liquor has been recovered from the house of the petitioner and he cannot escape from the liability of the alleged recovery. Hence, he does not deserve anticipatory 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 Exclusive Special Court of Excise, Patna City, Patna in connection with Alamganj P.S. Case No. 571 of 2025, subject to the conditions as laid down under Section 482 (2) of BNSS.



7. The application stands allowed.

(Alok Kumar Pandey, J)

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