

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.49298 of 2025**

Arising Out of PS. Case No.-92 Year-2025 Thana- RASULPUR District- Saran

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Sarvajit Mali @ Sarvajit Kumar Mali S/O Prithvi Mali R/O Vill.- Rasulpur,  
P.S.- Rasulpur, Dist.- Saran. ... .. Petitioner/s

Versus

The State of Bihar ... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Subodh Kumar Barnwal, Advocate  
For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

2      06-08-2025                      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 Rasulpur P.S. Case no. 92 of 2025 instituted for the offence under Sections 30 (a) of the Bihar Prohibition Excise Act, 2016.

3. The case of the prosecution is that from the land of Munna Srivastava, altogether 6.48 liter of country made foreign liquor was recovered.

4. Learned counsel for the petitioner has submitted that petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that nothing has been recovered from the conscious possession of the petitioner. His name has surfaced on the basis of the



confessional statement of local 'chowkidar'. It is also submitted by the learned counsel for the petitioner that the petitioner is having criminal antecedent of three cases out of which two are similar in nature.

5. Learned APP appearing for the State opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, 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 Rasulpur P.S. Case no. 92 of 2025, 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 2<sup>nd</sup> Exclusive Special Excise Judge, Saran, subject to the conditions as laid down under section 438(2) of the Cr.P.C/ Section 482 (2) of the BNSS with condition that the petitioner shall not indulge in similar nature of offence in future.

**(Ashok Kumar Pandey, J)**

Jagdish/-

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