

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47252 of 2025

Arising Out of PS. Case No.-639 Year-2025 Thana- PHULWARISHARIF District- Patna

Om Prakash Singh Son of Late Narayan Singh R/O Village- Jamalpur, P.S.-
Dhanarua, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Fulwari Sharif (Janipur) P.S. Case No. 639 of 2025 lodged on 23.04.2025, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 40 litres of illicit liquor has been made which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that nothing has been recovered from the conscious possession of the petitioner and the said recovery of alleged liquor has been made from a vehicle which belongs to the petitioner. Counsel submits that the petitioner is not named in



the FIR and the driver has committed the wrong and petitioner was completely unaware about the fact that what was loaded in his vehicle. Counsel further submits that the petitioner has no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner but submits that from the record, it transpires that the petitioner has no criminal antecedent.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of Special Judge, Excise-1, Patna, in connection with Fulwari Sharif (Janipur) P.S. Case No. 639 of 2025, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

(Dr. Anshuman, J)

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