

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52212 of 2025

Arising Out of PS. Case No.-110 Year-2025 Thana- Excise P.S. District- Bhojpur

Hari Shankar Singh S/o Rajeshwar Singh R/o Village- Kudiya Bangri, P.S.-
Pipra Kothi, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewanand Tiwari, Adv.

For the Opposite Party/s : Mr.Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-08-2025 Heard Learned Counsel for the petitioner and
Learned A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Excise Sadar P.S. Case No.110 of 2025, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018 which is pending before the court of Exclusive Special Excise Judge-II, Bhojpur, Ara.

3. As per the prosecution, the total recovery of 794.880 litres of *illicit* liquor has been made from secret box of a truck, 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 also submits that petitioner was not present on the spot and his name has been transpired only due to owner of the alleged vehicle. Counsel further submits that criminal antecedent of the



petitioner is clean. He further submits that nothing has been recovered from conscious possession of the petitioner. The said vehicle belongs to the petitioner, but the said vehicle has been driven by the driver and khallasy and he is not aware that they are doing illegal work.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that criminal antecedent of the petitioner is clean, but huge quantity of illicit liquor has been recovered.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

7. However, trial court is directed to consider the regular bail application of the petitioner, if he surrenders within 6 weeks from today and prays for regular bail, then trial court shall pass order particularly on the ingredients available relating to recovery of the possession, without being prejudice of the present order preferably on the same day.

(Dr. Anshuman, J.)

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