

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58087 of 2025

Arising Out of PS. Case No.-152 Year-2025 Thana- Excise P.S. District- Samastipur

Sharwan Kumar S/o Ram Prasad Ray, Resident of Village -Tal Dasraha ,
Ward No- 2, P.S.- Muffasil, District -Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advocate.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 16-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Sadar Excise P.S. Case No.152 of 2025 instituted under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 81.810 litre illicit foreign liquor from the under construction house of co-accused Ram Prasad Ray who had disclosed that petitioner is his son and he is also participating in the illegal trade of liquor.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case only on the basis of disclosure statement made by the co-accused. He further submits that the petitioner was not present on the spot and no incriminating article has been recovered from his conscious possession. Learned counsel submits that the alleged recovery of liquor has been made from the under construction



house of co-accused Ram Prasad Ray and petitioner has no concern with the alleged seized liquor. He further submits that except the disclosure statement made by the co-accused, there is no material against the petitioner. Learned counsel submits that petitioner is young boy aged about 20 years, having no criminal antecedent and he undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the concerned Court within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge, Court No.II, Samastipur in connection with Sadar Excise P.S. Case No.152 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

(Sunil Dutta Mishra, J)

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