

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60143 of 2025

Arising Out of PS. Case No.-87 Year-2025 Thana- Excise P.S. District- Sheohar

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Arun Kumar S/o Bindeshwar Mahto @ Vindeshwar Mahto Village - Piprahi,
Ward No - 05 , P. S - Piprahi, District - Sheohar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Devendra Kumar

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-09-2025 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Sheohar Excise P.S. Case No. 87 of 2025 registered for the offences punishable under Sections 30(a) and 32(iii) of Bihar Prohibition and Excise Amendment Act.

3. As per prosecution case, 89.400 litre illicit liquor was recovered from Splendor motorcycle in question and local people disclosed the name of the petitioner who fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that the name of local people has not been disclosed, which questions the authenticity of the FIR. Except disclosure of local people, there is nothing on record to demonstrate the complicity



of the present petitioner with the alleged occurrence. Petitioner was not found at the place of occurrence. No incriminating article has been recovered from the conscious possession of the petitioner. Petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. 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 no criminal antecedent.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, 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 Judge, Excise, Sheohar in connection with Sheohar Excise P.S. Case No. 87 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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