

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57286 of 2025

Arising Out of PS. Case No.-12 Year-2021 Thana- GAURICHAK District- Patna

Shyam Babu Son of Panchi Rai R/O Village- Shivchak, P.S.- Gaurichak and
Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

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

2. The petitioner apprehends his arrest in a case instituted
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. On secret information to the effect that two persons
including petitioner are selling illicit liquor, the police made a
search and recovered 15 litres country made liquor from the
bank (*Aahar*) of a pond in village Bhirpar. Two accused persons
including petitioner are alleged to have fled away on seeing the
police.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case on the basis of secret information. Nothing incriminating
article has been recovered from conscious possession of the



petitioner. The alleged recovery of liquor has been made from the bank of a pond. Petitioner has no concern either with the seized illicit liquor or the place of recovery. The petitioner has no criminal antecedent and he undertakes to cooperate in the investigation and the trial.

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

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Patna City in connection with Gaurichak P.S. Case No.12 of 2021, subject to the conditions as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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