

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55515 of 2025

Arising Out of PS. Case No.-706 Year-2025 Thana- Excise P.S. District- East Champaran

Baiju Sah @ Baiju Singh S/o Ram Sakal Singh, R/o Village- Parsa, P.S.-
Kundwa Chainpur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore @ Kundan Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 30-08-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Excise P.S. Case No.706 of 2025 instituted under Section
30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 18
liter Nepali country made liquor from the bike bearing
Registration No. BR-05A-1869 which was driven by co-accused
Anil Kumar who disclosed that the seized liquor belongs to
petitioner and the petitioner use to work as liner in transporting
illicit liquor from Nepal.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case only on the basis of confessional statement made by the co-
accused Anil Kumar. He further submits that petitioner has no



concern either with the alleged recovered liquor or the bike from which the recovery is made. Learned counsel submits that no incriminating article has been recovered from the conscious possession of petitioner. He further submits that petitioner has one criminal antecedent, in which he is on bail 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 Court below 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 Court No.2, East Champaran at Motihari/ concerned Court in connection with Excise P.S. Case No.706 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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