

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.58100 of 2025**

Arising Out of PS. Case No.-408 Year-2017 Thana- FATUA District- Patna

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Balmiki Singh, S/O Late Charitra Yadav @ Charitra Yadav, R/O Village-  
Gauri Punda, P.S.- Fatuha, Distt.- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

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

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

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**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 Fatuha P.S. Case No. 408 of 2017, instituted under Section  
30(a) of the Bihar Prohibition & Excise Act.

3. On secret informant, police raided the place of  
occurrence from where 120 litre country made liquor was  
recovered and five accused persons were apprehended on the spot  
who disclosed that five accused persons including the petitioner  
have fled away from the spot.

4. Learned counsel for the petitioner submits that  
petitioner is innocent and has falsely been implicated in this case  
due to village politics. Petitioner was neither present on the spot  
nor he has concern with the seized liquor or the place of  
occurrence. Petitioner is resident of another village. The  
occurrence has taken place in the year 2017, at that time, petitioner



had no criminal antecedent, however, now the police disclosed that the petitioner's name is also involved in two other cases. Recovery of illicit liquor has been made from an open place. Except the disclosure statement made by co-accused persons, there is no material against the petitioner. He undertakes to co-operate in the investigation and 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 submission 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 bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Spl. Judge Excise, Patna City in connection with Fatuha P.S. Case No. 408 of 2017, subject to the conditions laid down in Section 482 (2) of the Bharatiya Nagrik Suraksha Sanhita (B.N.S.S.), 2023 with further condition:-

- (I) the petitioner shall fully co-operate with the investigation and shall not tamper with evidence or influence any of the witnesses connected to the case.

(Sunil Dutta Mishra, J.)

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