

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58860 of 2025

Arising Out of PS. Case No.-251 Year-2025 Thana- MOTIHARI MUFASIL District- East
Champaran

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Bipin Ram S/o Bhola Ram, R/o Vill.- Jamala, Ward No. 6, P.S.- Muffasil,
Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Advocate.

For the Opposite Party/s : Ms. Sucheta Yadav, APP.

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 22-09-2025 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Muffasil P.S. Case No.251 of 2025 instituted under Section
30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 6
litre country made liquor from the bush situated in front of the
house of petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. He further submits that the petitioner has no concern with
the alleged seized liquor or the place from where the recovery
has been made, as the same has been recovered in front of the
house of petitioner which is an open place and accessible to
public at large. Learned counsel submits that no incriminating



article has been recovered from the conscious possession of the petitioner. He further submits that seizure list has not been prepared in accordance with mandatory provisions of law. Learned counsel submits that petitioner has got clean 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 Special Judge, Excise Court No.1, Motihari, East Champaran in connection with Muffasil P.S. Case No.251 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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