

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60250 of 2025

Arising Out of PS. Case No.-30 Year-2025 Thana- BHUTAH I District- Sitamarhi

=====

Pintu Giri S/o Rajkaran Giri R/O Vill.-Janki Nagar, Ward No.- 02, P.S.-
Bhutahi, Dist.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

=====

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 22-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Bhutahi P.S. Case No. 30 of 2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per prosecution case, on the basis of secret information, informant alongwith police officials reached Banswari which is situated behind the house of petitioner and recovered 21 litre illicit liquor from the place of occurrence.

4. Learned counsel for the petitioners submits that from perusal of the F.I.R., it is not clear as to who has divulged the name of petitioner, and hence the authenticity of the F.I.R. is doubtful. He further submits that the place of recovery is an



open place and, hence, petitioner cannot be held liable for the alleged recovery. Petitioner is innocent and has committed no offence as alleged in the FIR. He was not found at the place of occurrence. Petitioner has no concern with the alleged recovery. 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 criminal antecedent of four cases in which he is on bail. He further submits that just because of having criminal antecedents, petitioner has falsely been implicated in the present case.

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, 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 Excise Court No. 1, Sitamarhi in connection with Bhutahi P.S. Case No. 30 of 2025, subject to the conditions as laid down



under Section 482 (2)of BNSS.

7. The application stands allowed.

(Alok Kumar Pandey, J)

alok/-

U		T	
---	--	---	--

