

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62332 of 2025

Arising Out of PS. Case No.-178 Year-2021 Thana- NADI P.S. District- Patna

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Sohan Mehta @ Sohan Prasad S/o Late Bhola Mahto Resident of - Gauri Shankar Colony, Gaighat, P.S - Alamganj, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Opposite Party/s : Mr. Anil Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 24-09-2025 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application for grant of anticipatory bail arises out of Nadi Police Station Case No. 178 of 2021, dated 01.07.2021, disclosing offence under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016 (hereinafter referred to as 'the Act').
3. The prosecution story, as per the written report, is that while patrolling near Village Jethuli, the police noticed a closed-body mini container/tempo moving in suspicious condition towards NH-30. After reaching Godam Gali, the police found several persons carrying plastic sacks, who on seeing the police tried to flee away, however 13 persons were apprehended. On search, country-made



illicit liquor was recovered from the bags, totaling 696 liters, and the said tempo bearing Reg. No. BR01PA9849 was also seized.

4. Learned counsel for the petitioner submits that the petitioner is not named in the First Information Report and has not committed any offence in the manner alleged. He next submits that the petitioner has falsely been implicated in the present case merely because the registration of the vehicle, in question, was under his name, for which the police issued notice upon the petitioner directing him with original documents of the seized tempo. He further submits that the vehicle, in question, was sold by the petitioner, on 24.06.2021, in favour of one Nitish Kumar, which would be evident from Annexure-4 to this application. The illicit liquor has not been recovered from conscious possession of the petitioner and/or vehicle belonging to him. The petitioner has no criminal antecedent of similar nature.
5. Regards being had to the submission made by the parties and taking into consideration the fact that the petitioner is not named in the First Information Report and the vehicle, in question, was transferred/sold prior to the date of



occurrence on 24.06.2021, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, 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 the learned Exclusive Special Court of Excise, Patna City, in connection with Nadi Police Station Case No. 178 of 2021, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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