

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65455 of 2025

Arising Out of PS. Case No.-683 Year-2022 Thana- BAHADURPUR District- Darbhanga

Singheswar Sahni @ Singeswar Sahni S/o- Dukho Sahni Resident of Village-
Amma Dih, P.S.- Bahadurpur, Dist- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saurav Anand

For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Bahadurpur P.S. Case No. 683/2022 registered for the offences punishable under Sections 30(a)/ 30 (c) of the Bihar Prohibition of Excise Act.

3. As per prosecution case, the informant received secret informant that the petitioner is manufacturing country made liquor near the bank of river. Thereafter, the informant and police personnel reached at the place of occurrence and recovered 20 liters country made liquor alongwith and other apparatus.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged



in the FIR. Name of the petitioner has been transpired in this case on the basis of secret information and the source of secret information has not been divulged in the FIR, which questions the authenticity of the FIR and the petitioner cannot be held liable for the alleged recovery. The petitioner bears two criminal antecedents in which he is on bail. The petitioner was not found at the place of occurrence. No incriminating article has been recovered from the possession of the petitioner. The place of recovery is a Govt. land. The petitioner has no concern with the seized liquor. The place of recovery is open place, which is accessible to all and the petitioner cannot be held liable for the alleged recovery. The petitioner is not in any way connected with the alleged occurrence. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provision of Bihar Prohibition of Excise Act.

5. The learned A.P.P. for the State opposed 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 Special Judge, Excise Act-I, Darbhanga in connection with Bahadurpur P.S. Case No. 683/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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