

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65771 of 2025

Arising Out of PS. Case No.-94 Year-2025 Thana- DORIGANJ District- Saran

Saroj Kumar S/o Budhu Ray R/o vill - Purbi Balua, P.S.- Doriganj, P.O. -
Kans Diyara, Distt.- Saran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Praveen Ranjan

For the Opposite Party/s : Mr.Pranav Kumar

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 Doriganj P.S. Case No. 94 of 2025 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, on the basis of secret information, 80 litre country made liquor was recovered from the mustard field and nearby people disclosed the name of petitioner and others, who fled away from the spot.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. Petitioner bears criminal antecedent of one case in which he is on bail and just because of criminal antecedent of



the petitioner, he has falsely been implicated in this case without any basis. He further submits that source of information and name of nearby people have not been disclosed in the FIR which questions the authenticity of the prosecution story. No incriminating article has been recovered from possession of the petitioner. Petitioner was not found at the place of occurrence. Petitioner has no concern with the seized liquor. Place of recovery is an open place and petitioner cannot be held responsible for the alleged recovery. There is no compliance of Section 103 of BNSS. In the light of aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provision of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State vehemently 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 Special Judge
(Excise), Saran at Chapra in connection with Doriganj P.S. Case
No. 94 of 2025, subject to the conditions as laid down under
Section 482(2) of B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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