

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65984 of 2025

Arising Out of PS. Case No.-224 Year-2025 Thana- DAWATH District- Rohtas

Upendra Singh S/o Late Sri Bhagwan Singh Resident of Village- Patkhauliya,
P.S.- Dawath, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhaneshwar Prasad Gupta

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 24-09-2025 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in connection with Dawath P.S. Case No. 224 of 2025 registered for the offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution story, on 12.07.2025 at around 12:10, the informant and other police constables went on a raid. They received secret information that Madan Yadav and Shivjee Ram had stored a large quantity of illegal liquor near the land of Mathura Pandey in village Patkhauliya. When the police reached the spot, the accused fled, and despite being chased, they escaped. Upon searching the area, the police recovered 45



liters of country-made Mahua liquor hidden in the bushes near Mathura Pandey's land.

4. Learned counsel for the petitioner submits that the seized article was recovered from the bushes situated near the land of one Mathura Pandey. He further submits that the petitioner has no criminal antecedent and his name has surfaced on the basis of secret information received by the Police. Learned counsel for the petitioner further contends that the place from where the illicit liquor has been recovered does not belong to the petitioner and is an open space which is accessible to all

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the conscious possession and / or premises belonging to the petitioner, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today 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 Judge Court No.1, Rohtas at Sasaram, in connection with Dawath P.S. Case No. 224 of 2025 subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

(Ajit Kumar, J)

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