

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.65021 of 2025**

Arising Out of PS. Case No.-89 Year-2025 Thana- RISIYAP District- Aurangabad

Dholan Singh S/o Gupta Singh Resident of Village- Santhua, P.S.- Risiup,  
District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mrs. Mukul Kumari, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

2      24-09-2025                      Heard   Mrs. Mukul Kumari, learned counsel for the  
  
Petitioner and   Mr. Dr. Kumar Uday Pratap, learned APP for the  
  
State.

2. The petitioner apprehends his arrest in connection with G.R. No. 1463/2025 arising out of Risiup P.S. Case No. 89 of 2025 dated 02.08.2025 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act (hereinafter referred as 'Excise Act').

3. The main submissions advanced by the petitioner's counsel are that the instant matter relates to the recovery of 30 litres of country-made liquor from a place under a palm tree located to north of the S.S. brick kiln and the petitioner has been made an accused mainly on the basis of the disclosure made by the local chowkidar, except this, there is nothing to show the petitioner's involvement in storing or keeping the alleged liquor at the alleged place, therefore, the offence under the Excise Act does



not attract against the petitioner even *prima facie*, hence, his prayer for anticipatory bail is not hit by the provisions of Section 76(2) of the Excise Act. It is lastly submitted that the petitioner's past history is completely clean and he has not been involved in a similar type of offence in the past.

4. Learned APP appearing for the State has opposed the prayer for bail of the petitioner.

5. In the facts and circumstances of this case, as well as considering the submissions as stated above, in my opinion, the petitioner deserves the relief of anticipatory bail. Accordingly, let the petitioner named-above, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with G.R. No. 1463/2025 arising out of Risiup P.S. Case No. 89 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

**(Shailendra Singh, J)**

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