

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64764 of 2025

Arising Out of PS. Case No.-252 Year-2025 Thana- BAIKUNTHPUR District- Gopalganj

Baban Sah S/o- Late Munshi Sah R/O- Revtith PS- Baikunthpur District-
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 13-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in a case instituted
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. There is recovery of 30.94 litres illicit liquor from the
orchard of one Uday Singh.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case on the basis of suspicion. Nothing has been recovered from
conscious possession of the petitioner. Petitioner has no concern
with the seized illicit liquor. Except secret information, there is
no material against the petitioner to implicate him in this case.
Petitioner was not present on the spot. No one has identified the
petitioner. The recovery has been made from the orchard of one



Uday Singh which is open place accessible to anyone. Petitioner has two criminal antecedents of similar nature in which he is on bail. Petitioner undertakes to cooperate in the investigation and the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner 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 Court concerned, Gopalganj in connection with Baikunthpur P.S. Case No.252 of 2025, subject to the conditions as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 subject to the following conditions:-

(i) The petitioner shall appear on each and every date before the learned Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the learned Trial Court itself;

(ii) The petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence,



failing which the State shall be at liberty to take steps for
cancellation of the bail bond;

(iii) The petitioner shall desist from committing any such
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of bail bond.

(Sunil Dutta Mishra, J)

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