

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65829 of 2025

Arising Out of PS. Case No.-728 Year-2025 Thana- ALAMGANJ District- Patna

Bhola Sahni S/o Late Laxmi Sahni R/o Mohalla - Gud ki Mandi, P.S -
Alamganj, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan, Adv.

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

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. Petitioner is apprehending arrest in connection with Alamganj P.S. Case No. 728 of 2025 registered for the offences punishable under Sections 30(a)/32(3) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per prosecution case, there is alleged recovery of 100 liters illicit mahua liquor from Honda Activa Scooty bearing Reg. No. BR01DW-8438. Apprehended accused discloses that the said liquor belongs to the petitioner and he had entrusted him to carry and supply the said liquor to a person in *Gud ki Mandi*, Arfabad.

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



in the first information report and he has been falsely implicated in this case. He further submits that except disclosure of co-accused, there is nothing on record to connect the present petitioner with the alleged occurrence. No incriminating article has been recovered from possession of the petitioner. Petitioner has no concern with the said co-accused or material seized i.e. liquor or scooty and he is not the owner of the Scooty in question, as stated in para 10 of the petition. Petitioner bears no criminal antecedent. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions 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, keeping in view clean antecedent of petitioner, 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 arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction



of Exclusive Special Court of Excise, Patna City in connection
with Alamganj P.S. Case No. 728 of 2025, subject to the
conditions as laid down under section 482(2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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