

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69987 of 2025

Arising Out of PS. Case No.-341 Year-2025 Thana- BAIRIYA District- West Champaran

Balistar Sah @ Balistar Kumar Son of Mohan Sah @ Madan Prasad Sah
Resident of village - Malahi Tola, Nahar Chowk, Balua Rampurwa, Police
Station - Bairiya, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Kishun Prasad, Advocate.

For the Opposite Party/s : Mr. Nityanand, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 14-10-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

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

3. As per prosecution case, there is recovery of 12.540
litre illicit foreign liquor from a plastic bag near Malahi Tola
Nahar which was thrown by the petitioner and the petitioner fled
away from the spot after seeing the police.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. He further submits that the petitioner was not present on
the spot and no incriminating article has been recovered from
his conscious possession and only on the basis of disclosure
statement made by the local *Chaukidar*, he has been made
accused in this case. Learned counsel submits that petitioner has



no concern with the alleged seized liquor. He further submits that seizure list has not been prepared in accordance with mandatory provisions of law as there is no independent witness to the seizure list. Learned counsel submits that petitioner has one criminal antecedent, in which he is on bail and he undertakes to cooperate in the investigation and trial.

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

6. Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the concerned Court within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court concerned, Bettiah, West Champaran in connection with Bairiya P.S. Case No.341 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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