

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68855 of 2025

Arising Out of PS. Case No.-76 Year-2025 Thana- BHANGHA District- West Champaran

Dilip Sah S/o Rambalak Sah @ Motor Sah R/o Village- Jhumka, P.S.- Inarwa,
Dist.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gyan Prakash, Adv

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

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 08-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Bhangaha P.S. Case No. 76 of 2025 registered for the alleged offence punishable under Sections 274 and 275 of BNS and 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, altogether 200 litre country made liquor was recovered from four plastic sacks found at the place of occurrence and apprehended co-accused Ramayan Manjhi and Sunil Manjhi disclosed the name of the petitioner and co-accused Ashutosh Diswa who succeeded in fleeing away from the place of occurrence.

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



in the FIR and he has falsely been implicated in this case. Petitioner bears no criminal antecedent. He further submits that except disclosure of apprehended co-accused persons, there is nothing on record to connect the present petitioner with the alleged occurrence. No incriminating article has been recovered from possession. Petitioner was not found at the place of occurrence. Petitioner has no concern with the seized liquor. In the light of aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provision of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that the name of petitioner has been surfaced in this case upon the disclosure of apprehended co-accused persons and petitioner cannot escape from the allegation made in FIR. Hence, petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of the 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 his arrest or surrender before the learned trial court within a period of six weeks from today, be



released on anticipatory bail 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 Excise Court-II, Bettiah, West Champaran in connection with Bhangaha P.S. Case No. 76 of 2025, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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