

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80953 of 2024

Arising Out of PS. Case No.-246 Year-2024 Thana- PALASI District- Araria

Raju Sah S/O Naththu Lal Sah R/o village-Kaliyaganj Sonar Tola,(Ward No. 05, P.S.-Palasi, District-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Jha, Adv.
For the State : Mr. Indu Kumari Srivastava, APP.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 25-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. From a perusal of the FIR as also the seizure list, it would appear that altogether 51.300 litres of country made Nepali liquor was recovered from the house of the petitioner.

4. Learned counsel for the petitioner submits that the seized liquor has been planted in the house of the petitioner in his absence in conspiracy with the police and moreover, the said house is a joint family property and hence, no liability can be fixed upon the petitioner in the said offence. As a matter of



fact, the petitioner was present in Civil Court, Araria for *pairavi* in a case at the relevant time and he has no concern with the seizure that has been shown to be made from his house.

5. Learned APP for the State opposes the prayer for grant of anticipatory bail to the petitioner, besides others, also on the ground that the petitioner has one criminal antecedent. In response to the same, learned counsel for the petitioner submits that the petitioner is on bail in the said case.

6. Considering the above mentioned facts and circumstances, I am inclined to grant the privilege of anticipatory bail to the petitioner. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, 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 learned ADJ-cum-Special Judge Excise-II, Araria in connection with Palasi P.S. Case No. 246 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

7. The learned Court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been



stated in Para 3 of the bail application, this order will
automatically loose its force.

(Soni Shrivastava, J)

divyanshi/-

U		T	
---	--	---	--

