

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79741 of 2025

Arising Out of PS. Case No.-84 Year-2025 Thana- Dhobaha District- Bhojpur

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Golu Kumar @ Gulo Shah, S/O Satyadev Sah @ Satnarayan Shah, Resident
of Village- Manpura, P.S- Dhobaha @ Dhobhan, District- Bhojpur at Ara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aditya Kumar Pandey, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 03-12-2025 Heard Mr. Aditya Kumar Pandey, learned counsel

for the petitioner and Mr. Pradeep Narain Kumar, learned APP

for the State.

2. The petitioner apprehends his arrest in
connection with Dhobaha P.S. Case No. 84 of 2025 dated
30.08.2025 registered for the offence punishable under section
30(a) of the Bihar Prohibition & Excise Act (in short, 'Excise
Act').

3. The main submissions advanced by petitioner's
counsel are that the petitioner is 19 years old and on the basis of
a secret information the police suspected the petitioner and co-
accused to be involved in trafficking of foreign liquor and
accordingly, raided the alleged place which is situated near a
temple and recovered the alleged liquor but in the entire FIR,



the source of information has not been mentioned and it is an admitted position that the recovery of the alleged liquor was made in the darkness and none of the police personnel, including the witnesses of the seizure who were present at the place of recovery, claimed to have identified any of the accused persons, including the petitioner, and in the light of these circumstances, the alleged offence of the Excise Act, under which the FIR has been registered, does not attract even *prima facie* against this petitioner, so, his prayer is not hit by the provisions of section 76(2) of the Excise Act.

4. Learned APP for the State has opposed the prayer of the petitioner.

5. In the facts and circumstances of this case and considering the above stated facts and mainly the petitioner's clean antecedent and his young age, this Court is inclined to accept his prayer for anticipatory bail. Accordingly, let the petitioner named-above, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Dhobaha P.S. Case No. 84 of



2025, subject to the conditions as laid down under Section
482(2) of the BNSS.

(Shailendra Singh, J)

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