

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84275 of 2025

Arising Out of PS. Case No.-191 Year-2025 Thana- BHAPTIAHI District- Supaul

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1. Gangaram Mehta S/o Sitaram Mehta R/V Bhaptiyahi, ward no 03, PS-Bhaptiyahi (Bhaptiyahi Sarai), Dist- Supaul
 2. Hariom Mehta @ Hariom Kumar S/O Shri Ramchandra Mehta R/O Bhaptiyahi, Ward no. 4, P.S.- Bhaptiyahi, (Bhaptiyahi Sarai), Dist.- Supaul

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr.Asha Devi

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 17-12-2025 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehended their arrest in connection with S.T. Excise Case No. 902 of 2025, arising out of Bhaptiyahi P.S. Case No. 191 of 2025 F.I.R dated 09.09.2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, the informant, Aakash Anand, while on night patrolling duty on 08.09.2025 along with armed police force, allegedly received secret information at about 11:45 P.M. near NH-27, Piprakhurd Chowk, that liquor smugglers were transporting illegal liquor through a rural road



connecting the Indo-Nepal Road to old Bhaptiyahi village. Acting on the said information, a blockade was set up near Manu Ram's house at about 00:05 A.M. During vehicle checking at about 00:20 A.M., two motorcycles allegedly carrying liquor were seen approaching, whereupon the riders abandoned the motorcycles and attempted to flee. One person, namely Santosh Kumar, was apprehended, while the other person escaped taking advantage of darkness and nearby fields. Upon search of the two motorcycles, a total of 189 litres of Nepali liquor was allegedly recovered and seized, and a seizure list was prepared. On interrogation, the apprehended person allegedly disclosed the names of the escaped persons as Hariom Kumar and Gangaram Mehta (the petitioners).

4. Learned counsel for the petitioners submits that the name of the petitioners have transpired on the conclusion made by the co-accused, namely, *Santosh Kumar* while the recovery is said to have been made from two motorcycles bearing Registration Nos. BR50K-2964 & BR50L-0612, and those motorcycles are no way connected with these petitioners while the petitioners have clean antecedent.

5. Learned APP for the State opposes the prayer for anticipatory bail application.



6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the constructive possession and / or premises belonging to the petitioners and considering the aforesaid facts and petitioners have clean antecedent, accordingly, this Court is inclined to grant anticipatory bail to these petitioners.

7. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today 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 No. I, Supaul in connection with S.T. Excise Case No. 902 of 2025, arising out of Bhaptiyahi P.S. Case No. 191 of 2025 subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

(Ajit Kumar, J)

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