

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82176 of 2025

Arising Out of PS. Case No.-205 Year-2025 Thana- Excise P.S. District- Madhubani

Bholi Sah @ Bhola Sah Son of Dukhi Sah @ Dukhai Sahu Resident of Village- Palimohan, P.S.- Khajauli, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Pallavi
Mr. Manoj Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 10-12-2025 1. Heard the parties.
2. The petitioner apprehends his arrest in connection with Sadar Excise P.S. Case No. 205 / 2025 dated 20.06.2025 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. As per the first information report a total quantity of 36 liters of Nepali country made wine has been recovered from a Honda Shine SP motorcycle bearing registration no. BR32U2195 and the Police apprehended the driver- Mithilesh Kumar.
4. Learned counsel for the petitioner submits that petitioner is



innocent and has falsely been implicated in this case only because he happens to be the registered owner of the motorcycle in question. The motorcycle of the petitioner was borrowed by his nephew Mithilesh Kumar on the pretext of some medical emergency who was driving it at the time of occurrence and the petitioner had no knowledge that his motorcycle was being used for transportation of liquor. The petitioner has no criminal antecedent.

5. Regard being had to the submission made by the parties, taking into consideration the fact that illicit Nepali country made wine has not been recovered from the conscious possession of the petitioner, the justification given regarding recovery of 36 liters of Nepali country made liquor and the petitioner has no criminal antecedent, accordingly , I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, 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 Shree Gorakhnath Dubey, learned Exclusive Special Judge, Excise , Madhubani in connection with Sadar Excise P.S. Case No.



205 / 2025 subject to the condition as laid down under Section
482 (2) of the B.N.S.S. 2023.

(Anil Kumar Sinha, J)

praful/-

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

