

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84341 of 2025

Arising Out of PS. Case No.-599 Year-2025 Thana- HAJIPUR SADAR District- Vaishali

Bhusan Rai, S/o Prabhu Rai, R/o village - Panapur Langa, P.S - Hajipur,
District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Adv.

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 17-12-2025 Heard Mr. Hemant Kumar, learned counsel for the

petitioner and Mr. Dr. Kumar Uday Pratap, learned APP for the

State.

2. The petitioner apprehends his arrest in connection with Hajipur Sadar P.S. Case No. 599 of 2025 dated 24.07.2025 registered for the offence punishable under section 30(a) of the Bihar Prohibition & Excise Act (in short, 'Excise Act').

3. Learned counsel for the petitioner submits that the recovery of the alleged liquor is made from the field of some other person, namely, Sogarath Pandit, with whom the petitioner has no connection and he has clean past history and has never remained involved in similar type of alleged offence of the Excise Act 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 the petitioner, so, his prayer is not hit by the provisions of section 76(2) of the Excise Act.

4. Though learned APP for the State has opposed the prayer of the petitioner but he has not been able to rebut the petitioner’s aforesaid submissions.

5. In the facts and circumstances of this case and mainly considering the above stated facts and petitioner’s fair and clean antecedent and his young age, this Court is inclined to grant the relief of anticipatory bail to the petitioner. 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 Hajipur Sadar P.S. Case No. 599 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Shailendra Singh, J)

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