

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88469 of 2024

Arising Out of PS. Case No.-1152 Year-2024 Thana- AHIYAPUR District- Muzaffarpur

Sita Ram @ Sita Ram Singh S/o Ganesh Singh R/o Village- Khanpur,
Bajnathpur, P.S.- Ahiyapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Ramchandra Sahn

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Ahiyapur P.S. Case No. 1152 of 2024 registered for the offences punishable under Sections 30(a) and 41 of the Bihar Prohibition and Excise Act, 2016.

3. As per prosecution case, there is alleged recovery of 648 litre foreign liquor from the tempo in question. Local people disclosed the name of petitioner and other who is said to have fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. He further submits that petitioner is neither owner nor driver of the



tempo in question. Except disclosure of local people, there is nothing on record to connect the petitioner with the alleged occurrence. He further submits that there is no compliance of Section 103 of B.N.S.S while preparing seizure list. Learned counsel further submits that petitioner bears no criminal antecedent. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No.-1, Muzaffarpur in connection with Ahiyapur P.S. Case No. 1152 of 2024 subject to the conditions as laid down under Section 482 of BNSS.



7. The application stands allowed.

(Alok Kumar Pandey, J)

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