

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86449 of 2025

Arising Out of PS. Case No.-398 Year-2023 Thana- PHULWARIYA District- Gopalganj

Bablu Singh S/O Bairistar Singh Resident of Village- Oini, P.S- Darauli,
Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Upadhyay

For the Opposite Party/s : Mrs. Asha Kumari

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 18-12-2025 Heard learned counsel for the parties.

2. The petitioner is apprehending his arrest in connection with Phulwariya P.S. Case No.398 of 2023, dated 06.11.2023 registered for the offences under Sections 30(a) of Bihar Prohibition and Excise Amendment Act, 2022.

3. As per the FIR, police recovered 294.480 liters of foreign liquor from two vehicles bearing Registration No. BR06AB2017 & BR05G7329. Three persons were apprehended on the spot and they disclosed that the petitioner had loaded the liquor in Uttar Pradesh and they were going to deliver it to one Rajnish Singh.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the instant case solely on the basis of the statements of the



apprehended co-accused persons. There has been no recovery from the conscious possession of the petitioner, and he is in no manner connected with the seized liquor. The petitioner has no concern with the vehicles from which the recovery has been made. It is further submitted that similarly situated person, namely Rajnish Singh, has already been granted bail by a Coordinate Bench of this Court vide order dated 16.04.2024 passed in Cr. Misc. No. 26198 of 2024. Learned counsel fairly submits that the petitioner has one criminal antecedent similar to the instant case, in which he is already on bail.

5. Learned counsel for the petitioner, on instructions, and without accepting his guilt, proposes to deposit a sum of Rs. 5,000/- (Rupees Five Thousand only) in the welfare account of the Advocates' Association of the Patna High Court.

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 of the petitioner, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

7. 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 learned District & Additional Sessions Judge XIII cum Special Excise Court No.1, Gopalganj, in connection with Phulwariya P.S. Case No.398 of 2023 subject to the condition as laid down under Section 482(2) of the BNSS, 2023 and on production of the receipt showing deposit of Rs.5000/- as proposed on behalf of the petitioner.

(Ajit Kumar, J)

shikha/-

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

