

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88457 of 2025

Arising Out of PS. Case No.-280 Year-2025 Thana- HATHUA District- Gopalganj

Ramesh Sah Son of Late Prahlad Sah Resident of Village - Singha, P.S.-
Mirganj, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ashok Kr. Dubey
		Ms.Priya Raj
For the Opposite Party/s :		Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 22-12-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Hathua P.S. Case No. 280 of 2025, F.I.R dated 20.09.2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per the prosecution case, on 20.09.2025 at about 08:30 A.M., Md. Soeb Alam, A.S.I., Hathua Police Station, recorded his self-statement alleging that while he was on routine search duty along with other police personnel, he received secret information that Reyajuddin Ansari and Ramesh Sah were transporting illicit liquor by car via Kusodhi towards Hathua. It



is alleged that on spotting the police party, two persons alighted from the vehicle and fled away. Thereafter, in presence of police witnesses, a search of the car was conducted and 270 litres of country-made liquor was allegedly recovered, for which a seizure list was prepared. On this basis, Hathua P.S. Case No. 280 of 2025 was registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2022.

4. Learned counsel for the petitioner submits that the car from where recovery is said to have been made does not belong to this petitioner. Merely, on the basis of his antecedents, the name of the petitioner has transpired in this case. Counsel for the petitioner fairly submits that he has seven antecedents but out of which four cases are akin to the instant case, in which he is on bail. There is no independent witness to the search and seizure list.

5. Learned APP for the State opposes the prayer for anticipatory bail application, and he accepts that on being confronted Learned APP accepts that the car does not stand in the name of this petitioner, and this petitioner is not seen at the place of incident.

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 petitioner and considering the fact that the car from where recovery is said to have been made does not belongs to this petitioner and he is ready to abide by terms and conditions of anticipatory bail in case such privilege is extended in his favour, 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 Additional Session's Judge-XIII cum Special Judge Excise Court No. I, Gopalganj in connection with Hathua P.S. Case No. 280 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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