

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88385 of 2025

Arising Out of PS. Case No.-130 Year-2025 Thana- EXCISE ARERAJ District- East
Champaran

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Bhaulti Raut @ Bhaulti Raut @ Bhuwali Patel Son of Late Gaur Raut Resident
of Village - Roopdih, P.S.- Turkauliya, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 22-12-2025 Heard learned counsel for the parties.

2. The petitioner is apprehending his arrest in Excise,
Areraj P.S. Case No.130 of 2025, dated 06.08.2025, registered for
the offences under Sections 30(a) of the Bihar Prohibition and
Excise Act, 2016.

3. As per the FIR, 75 liters of country-made liquor were
reportedly recovered from a plastic bag kept on the motorcycle of
the petitioner bearing Registration No. BR05AT8886.

4. Learned counsel for the petitioner submits that the
petitioner is entirely innocent and has been falsely implicated in
the instant case merely on the basis of suspicion. It is submitted
that although liquor was recovered from the motorcycle of the
petitioner, he is in no way connected with the seized liquor.
Further, there is no independent witness to the seizure, and the
seizure list has been prepared in violation of the provisions of



Section 103 of the BNSS. Lastly, it is submitted that the petitioner is an elderly man, aged about 80 years, and has no criminal antecedents.

5. Learned APP for the State opposed the prayer for grant of anticipatory bail.

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 conscious/ 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 Exclusive Special Excise Court No.02, East Champaran, Motihari in connection with Excise Areraj P.S. Case No.130 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS, 2023.

(Ajit Kumar, J)

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