

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9121 of 2026

Arising Out of PS. Case No.-452 Year-2025 Thana- BHORE District- Gopalganj

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Anil Parajapati @ Anil Prajapati, Son of Gorakh Prajapati, Resident of village
- Kukurbhukha, P.S.- Bhore, Dist.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 17-02-2026 Heard the parties.

2. The petitioner apprehends his arrest in connection with Bhore P.S. Case No. 452 of 2025 dated 06.09.2025 registered for the offence punishable under section 30(a) of the Bihar Prohibition & Excise Act, 2016 (in short 'Excise Act').

3. The main submissions advanced by petitioner's counsel are that as per the prosecution, the alleged liquor was recovered from the semi-constructed house of the petitioner and upon seeing the police party, one person managed to escape, whose identity was disclosed by the assembled local people, as per the informant; however, in the entire FIR the names of those assembled people were not disclosed and in this regard, the FIR is completely vague and further, the petitioner's semi-



constructed house was an open place at the time of recovery and accessible to everyone, so, there was a great possibility of plantation of the alleged liquor in his house or his house might have been misused by someone. It is lastly submitted that the petitioner bears no criminal antecedent and his past history is completely clean and he has not remained involved in any kind of offence relating to the Excise Act, hence, the alleged offence punishable under the Excise Act, under which the FIR has been registered, does not attract even *prima facie* against the petitioner, so, his prayer for anticipatory bail is not hit by the provisions of section 76(2) of the Excise Act.

4. Learned APP appearing for the State has opposed the prayer of the petitioner but fairly accepts that the recovery of the alleged liquor was made from the semi-constructed house of the petitioner, which is an open place and accessible to everyone.

5. In the facts and circumstances of this case as well as considering the submissions as stated above, coupled with the pleas of the petitioner, 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 Bhore P.S. Case No. 452 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Shailendra Singh, J)

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