

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9452 of 2026

Arising Out of PS. Case No.-65 Year-2025 Thana- Maghopur District- Gopalganj

Bablu Nut @ Bablu Nat S/o Lady Nut @ Lady Nat R/o Village- Dumari
Karbal (Karwalp), PS- GB Nagar, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 19-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Madhopur P.S. Case No. 65 of 2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per prosecution case, on the basis of secret information 50 liters of illicit country-made *chulai* liquor were recovered from two boxes kept near the Belsand river bank and petitioner and other succeeded in fleeing 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 because having criminal antecedents of three cases in which he is already on bail. He further submits that petitioner was not found at the place of occurrence and nothing has been recovered from the conscious possession of the petitioner. He further submits that the place of recovery is an open place and the same is accessible to all and therefore the petitioner cannot be held liable for the alleged recovery. It is submitted that the name of the petitioner has transpired only on the basis of secret information and except suspicion there is nothing on record to connect the present petitioner with the alleged occurrence. He further submits that source of secret information has not been disclosed in the FIR, which questions the authenticity of the F.I.R. He further submits that only *chowkidars* have been made seizure list witnesses and no independent witness has supported the prosecution case. In the light of the aforesaid facts and circumstances of the case, petitioner cannot be held liable for the same and no offence is made out as alleged in the FIR against the petitioner.

5. The learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that petitioner is F.I.R. named person hence, he cannot



escape from the allegation made in the F.I.R.

6. Considering the facts and circumstances of the case, petitioner was not found at the place of occurrence, 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 District and Additional Sessions Judge-XIII-cum-Special Judge, Excise Court No. I, Gopalganj in connection with Madhopur P.S. Case No. 65 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

Nilmani/-

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