

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48006 of 2026

Arising Out of PS. Case No.-837 Year-2021 Thana- BIHTA District- Patna

Ranjan Saw S/O Ramchandra Saw Resident of Viillage- Gulamalichak, P.S.-
Bihta, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurav Kr. Suman, Adv.

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 22-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Bihta P.S. Case No. 837 of 2021 dated 04.11.2021 registered for the offence punishable under Section/s 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, the police has recovered total 166.125 liters of Indian made foreign liquor from the *Dalan* of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is next submitted that though the recovery of the alleged liquor has been made from the *Dalan* of the petitioner but, the same is an open place, accessible to general public



while nothing is alleged to have been recovered from the constructive possession of the petitioner. It is further submitted that the co-accused has already been granted privilege of anticipatory bail by a Co-ordinate Bench of this Court vide order dated 08.07.2022 passed in Cr. Misc. No. 7118 of 2022. Lastly, it is submitted that the petitioner is a person of clean antecedent.

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

6. Having heard learned counsel for the parties and considering the fact that the alleged recovery of illicit liquor has been made from the open place which is accessible to one and all and nothing has been recovered from the constructive possession of the petitioner and, as also, the petitioner having clean antecedent, let the petitioner, above named, be released on anticipatory bail in the event of his arrest or surrender before the court below within a period of six 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 Special Excise Court, Danapur in connection with Bihta P.S. Case No. 837 of 2021, subject to the condition as laid down under Section 482(2) of the B.N.S.S. as well as the following



conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner who shall provide official document / personal affidavit to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Ajit Kumar, J)

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