

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48832 of 2026

Arising Out of PS. Case No.-141 Year-2026 Thana- TILAUTHU District- Rohtas

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Ganapati @ Sagar @ Raja Babu S/o Jamuna Baitha Resident of Village-
Aurangabad, Saraiyan, P.S.- Amjhor, District- Rohtas, Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

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

2. This application for anticipatory bail arises out of Tilauthu P.S. Case No. 141 of 2026 for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, on a tip off, the police party chased and tried to intercept a motor cycle but the motor cycle could not be apprehended and the persons seated on that motor cycle managed to flee away after throwing the bag, which contained illicit liquor with the total quantity of 34 litres. It has also been alleged that the local *chowkidar*, who was with the police party has stated the name of the petitioner as one of the persons who had fled away.

4. Learned counsel for the petitioner submitted that



nothing has been recovered from the conscious possession of the petitioner and he has falsely been implicated by the local *chowkidar* who had inimical terms with the petitioner. It has further been submitted that the procedures prescribed under Section 105 of the B.N.S.S. has not been followed. It has further been submitted that the motor cycle in question does not belong to the petitioner. Lastly, it has been submitted that although the petitioner has been accused in one another case of similar nature, in which he is on bail.

5. Learned counsel for the State opposed the prayer of anticipatory bail of the petitioner.

6. Heard the parties and perused the record.

7. Considering the facts and circumstances as well as nature of material against the petitioner, let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.- II, Rohtas, Sasaram, in connection with Tilauthu P.S. Case No. 141 of 2026, subject to the conditions as laid down under Section 482(2) of the Bhartiya Nagrik Suraksha Sanhita.



8. This application stands allowed.

(Praveen Kumar, J)

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