

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32916 of 2023**

Arising Out of PS. Case No.-43 Year-2023 Thana- ALOULI District- Khagaria

SANJIV KUMAR SINGH S/o- MAHENDRA SINGH resident of Village-  
Mali Tola Bahadurpur Ward No - 2, Near Hanuman Mandir PS - Alauli  
Bahadurpur Dist. - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate

For the Opposite Party/s : Mr. Ravindra Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      25-05-2023                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner apprehends his arrest in a case  
registered for the offence punishable under Section 30(a) of the  
Bihar Prohibition and Excise Act, 2018.

Learned counsel for the petitioner submits that  
petitioner has antecedent of one case.

Allegation is of recovery of 2 litres of liquor from a  
motorcycle parked near Chicken Biryani Restaurant of the  
petitioner.

Learned counsel for the petitioner submits that  
petitioner was not arrested from the spot, as such, nothing was  
recovered from his conscious possession. It is further submitted  
that petitioner being owner of the motorcycle came to be



implicated. It is next submitted that no prudent person would use his own vehicle for committing a crime and thus would create evidence against himself and hence would get implicated. It is also submitted that the alleged motorcycle was parked near the restaurant of the petitioner and it seems that someone kept the liquor in the motorcycle to falsely implicate him.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, 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 bonds of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Alouli P.S. Case No. 43 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

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