

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75715 of 2024

Arising Out of PS. Case No.-230 Year-2024 Thana- GOH District- Aurangabad

Sujit Kumar Son of Indu Verma Resident of Village - Dhamani, P.S. -
Haspura, District - Aurangabad (Bihar)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ranjit Kumar, Advocate

For the Opposite Party : Mr. Sanjay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-11-2024 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Goh P.S. Case No. 230 of 2024, lodged on 11.08.2024, under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022 pending before the Court of Special Judge Excise Court II, Aurangabad (Bihar).

3. As per the prosecution, FIR has been lodged against one named accused person and the owner of the motorcycle. Total recovery of 30 litres of illicit country made liquor has been made which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that the petitioner is the owner of the motorcycle



from which recovery of 30 litres of illicit country made liquor has been made. Counsel further submits that in paragraph No. 7, he has taken the plea that the petitioner has sold the motorcycle to the co-accused, namely, Dhananjay Kumar after taking money prior to institution of FIR but documents of motorcycle was not transferred due to which name of the petitioner has been figured in this case. Counsel further submits that a copy of transfer of ownership of a motor vehicle document is annexed as Annexure-P/2. Counsel also submits that the antecedent of the petitioner is clean.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. From Annexure-P/2, it transpires to this Court that it is Form 30 about intimation and transfer of ownership of a motor vehicle, but there is neither signature of registered owner nor of transferee, as such, Annexure-P/2 is not helpful to the petitioner in any manner.

7. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

8. It is directed to the petitioner to surrender before the Trial Court within a period of four weeks from today. In the



event of showing the proof of any document related to transfer of his motorcycle, the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court.

(Dr. Anshuman, J)

Aman Kumar/-

U		T	
---	--	---	--

