

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2518 of 2025

Arising Out of PS. Case No.-26 Year-2024 Thana- Excise P.S. District- Siwan

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Bachchan Kumar Son of Indra Deo Ram Resident of village- Bhagwanpur
PS- Guthani Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumari Anupam

For the Opposite Party/s : Mr.Rajiv Nayan

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 13-02-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application for grant of anticipatory bail arises out of Siwan Excise Police Station Case No. 26 of 2024, dated 16.01.2024, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that on 16.01.2024, during vehicle check, the police intercepted one motorcycle and apprehended one Umesh Kumar. Upon search, the police recovered 20 litres of illicit Bunt Buble country-made liquor from a bag kept on the seat of the motorcycle.
4. Learned Counsel for the petitioner submits that the petitioner has been made accused in this case on the basis of the fact that he happens to be the registered owner of



the motorcycle, in question. He further submits that the motorcycle was taken by his brother, co-accused Umesh Kumar, for the purpose of some work and the petitioner was not aware about the illicit liquor being carried by him on his motorcycle. The brother of the petitioner was arrested at the spot. The petitioner is having no criminal antecedent.

5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the justification given by the petitioner and the fact that the petitioner is not having any criminal antecedent, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, 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 learned Exclusive Special Excise Court No. II, Siwan, in connection with Siwan Excise Police Station Case No. 26 of 2024, subject to the condition laid down under Section 438 (2) of the Code of



Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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