

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3579 of 2025

Arising Out of PS. Case No.-721 Year-2023 Thana- MOHANIYA District- Kaimur (Bhabua)

Ravi Kumar S/o Chander Pal Singh @ Chandra Pal Singh R/o Village-
Badarpur, Badarpur Said (111), Faridabad, Haryana

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prashant Saurabh, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 02-05-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Mohania P.S. Case no.721 of 2023 registered under
Sections 420, 467, 468 and 34 of the Indian Penal Code and
Sections 30(a), 36 and 41(i) of the Bihar Prohibition and Excise
Amendment Act.

3. As per the prosecution case, 3549.60 liters of
foreign liquor was recovered from DCM truck bearing
Registration No. UP14KT8260 which was driven by accused
Prem Singh.

4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the case. The petitioner
is not named in the F.I.R and cause of his false implication is



only for the reason that he happens to be the registered owner of the seized truck. No recovery has been made from the conscious possession of the petitioner. He further submits that much prior to the alleged occurrence, the truck in question had been sold to one Sanjay Kumar who was using the same and the petitioner had nothing to do with the said truck. A copy of the affidavit to this effect has been annexed as Annexure-2 to the petition. Learned counsel for the petitioner further submits that Sanjay Kumar agreed to pay the rest 55 EMI and hence, he used to send the EMI to the Bank account of the petitioner. A copy of the Bank statement has been annexed as Annexure-3 to the petition. The petitioner has no criminal antecedent and undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. In view of the facts of the case that the petitioner has no criminal antecedent as also no recovery has been made from physical or conscious possession from him, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Mohania P.S. Case no.721 of 2023 on furnishing bail bond of



Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Exclusive Judge Excise-I-cum-A.D.J-IV, Kaimur at Bhabhua, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

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