

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3062 of 2025

Arising Out of PS. Case No.-129 Year-2024 Thana- ROSHANGANJ District- Gaya

Subodh Kumar Son of Suresh Singh Resident of Village- Kanchan Nagar,
Kanap, P.S.- Haspura, District-Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan, Advocate
For the Opposite Party/s : Mrs.Sucheta Yadav, 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 Roshanganj P.S. Case no.129 of 2024 registered under
Section 30(a) of the Bihar Prohibition and Excise Amendment
Act, 2018.

3. As per the prosecution case, 6 liters of foreign
liquor was recovered from a Hero Honda motorcycle bearing
Registration No. BR26W7299.

5. 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 motorcycle. No recovery has been made from the conscious



possession of the petitioner. He further submits that his co-villager took his motorcycle for purchasing of medicine and the petitioner has no knowledge that co-villager used his motorcycle in liquor supply. The petitioner has no criminal antecedent and undertakes to cooperate in the case/trial.

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

7. 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 Roshanganj P.S. Case no.129 of 2024 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 Exclusive Special Excise Court No.5, Gaya, 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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