

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5659 of 2025

Arising Out of PS. Case No.-417 Year-2024 Thana- BARUN District- Aurangabad

1. Vishal Kumar Son of Basant Paswan Resident of Village- Janpur, P.S.- Barun, Distt.- Aurangabad
2. Saroj Kumar Son of Lalji Paswan Resident of Village- Janpur, P.S.- Barun, Distt.- Aurangabad

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party.

Appearance :

For the Petitioner/s : Mr. Ashok Singh, Advocate

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

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 05-05-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. A perusal of the first information report and the seizure list would go to show that total 20 liters of Mahua liquor was recovered from a motorcycle. However, the riders of the said motorcycle managed to flee away from the place of occurrence.

4. Learned counsel for the petitioners submits that petitioners are not named in the F.I.R. and there is no recovery from their conscious or physical possession. As a matter of fact, during course of investigation, it transpired that the motorcycle



is registered against one Dhanmati Devi, who is the mother of petitioner no.1 and aunt of petitioner no.2. Learned counsel for the petitioner further submits that the petitioners were not driving the said motorcycle on the date of occurrence.

5. Taking into consideration the abovementioned facts and circumstances of the case and further that the petitioners have no criminal antecedent, I am inclined to extend the privilege of anticipatory bail to the petitioners. Let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, 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 Court below where the case is pending/ successor Court in connection with Barun P.S. Case No.417 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and subject to the further condition that the petitioner shall cooperate in the investigation/trial.

(Soni Shrivastava, J)

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