

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10682 of 2025

Arising Out of PS. Case No.-100 Year-2021 Thana- BABUBARHI District- Madhubani

Hari Narayan Sah S/O Gyani Sah Resident of Village- Mirzapur, Police Station- Ladaniya, Dist.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar Sah, Advocate

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

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 03-07-2025 1. Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Babubarhi P.S. Case no.100 of 2021 registered under Sections 272, 273 and 290 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. A perusal of F.I.R and seizure list would show a total of 10 liters of illicit liquor was recovered from a motorcycle bearing Chasis No. 7FDNF09784 which was driven by one Indra Kumar Ram.

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 motorcycle. No recovery has been made from the



physical conscious possession of the petitioner. He further submits that co-accused Indra Kumar Ram took his motorcycle for some urgent work and the petitioner has no knowledge that he used his motorcycle in liquor supply. 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 aforesaid facts of the case, 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 Babubarhi P.S. Case no.100 of 2021 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, 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)

Harsh/-

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