

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7257 of 2025

Arising Out of PS. Case No.-614 Year-2023 Thana- KOILWAR District- Bhojpur

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Baban Prasad @ Babban Prasad Son of Late Jagarnath Sah Resident of Vill-
Akhgaon, P.S.- Sandesh, District- Bhojpur at Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-02-2025 Heard Learned Counsel for the petitioner and

Learned APP for the State

2. The petitioner is apprehending his arrest in connection with Koilwar P.S. Case No. 614 of 2023, lodged on 15.10.2023, under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution, total 210 litres of illicit country-made liquor has been made, which is the subject matter of the present case. An FIR has been lodged against the drivers and owners of three motorcycles involved in the transportation of the illicit liquor.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that it has been categorically stated that the motorcycle with registration No. BR03N 8632 is alleged to belong to the petitioner. Counsel further submits that a



negotiation for the purchase of the motorcycle took place, but neither the papers nor the physical possession of the motorcycle were transferred, and in the meantime, this situation occurred. Counsel additionally submits that the petitioner's antecedents are clean, and he has been unnecessarily made an accused in the present case.

5. Learned APP for the State opposes the prayer for bail but fairly submits that the criminal antecedents of the petitioner are clean.

6. As such, considering the aforesaid facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Excise Judge- II, Bhojpur at Ara, in connection with Koilwar P.S. Case No. 614 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dr. Anshuman, J.)

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