

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9694 of 2025

Arising Out of PS. Case No.-274 Year-2024 Thana- BARAUNI District- Begusarai

Shivendra @ Shivendra Kishore @ Shivendra Kumar S/o Late Chandra
Kishore Ray R/o Vill.- Pipra Devas, P.S.- Barauni, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Advocate
For the Opposite Party/s : Dr. Indihar Kumari,APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 08-05-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Barauni P.S. Case no.274 of 2024 registered under sections
30(a), 32(2), 32(3), 33, 36, 41(1) and 41(2) of the Bihar
Prohibition and Excise Amendment Act, 2022.

3. As per the prosecution case, 4500 liters of ethnal
was recovered from the premises of U.S. Automobile, Mahindra
Service Centre behind Arya Petrol Pump.

4. Learned counsel for the petitioner submits that the
petitioner is the proprietor of U.S. Automobile, Mahindra
Service Centre and as a matter of fact he has no concern with
seized ethnal. It is apparent from the F.I.R as also the seizure list
that during investigation no concrete evidence was found to



connect the petitioner in the said offence and he has no concern with the Arya Petrol Pump. Learned counsel for the petitioner further submits that no independent witness is there on the seizure list further indicating violation of mandatory provisions of the B.N.S.S. The name of the petitioner has come only on suspicion. Learned counsel for the petitioner further submits that another case arising out of same transaction has been filed under Section 7 of the E.C. Act and Section 23 of the Petroleum Act in Barauni P.S. Case No. 275 of 2024 in which petitioner has not been granted privilege of anticipatory bail by the learned Court below itself. The petitioner 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 entire facts and circumstances 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 Barauni P.S. Case no.274 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-I, Begusarai, 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/-

U		T	
---	--	---	--

