

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14360 of 2025

Arising Out of PS. Case No.-539 Year-2024 Thana- Excise P.S. District- Sheikhpura

Dhanpat Chaudhary Son of Late Babu Ram Chaudhary village- chakandara,
Ps- Chewada, Dist- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinkar Kumar, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 28-03-2025 Heard learned counsel for the parties.

2. The petitioner in this application prays for grant of anticipatory bail apprehending his arrest in connection with Excise P.S Case no. 539 of 2024 registered for the offence punishable under sections 30(a) and 30(b) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on a search being conducted 8.7 litres of liquor was recovered from the motorcycle in question. On enquiry, it transpired that the motorcycle belonged to the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. Neither the petitioner was arrested at the spot nor any incriminating article recovered from his possession. The cause of his false



implication is that he happens to be the registered owner of the motorcycle in question. He has no criminal antecedent and undertakes to cooperate in the case/trial.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R., no incriminating article having been recovered from the petitioner's possession and the motorcycle being parked in an open place when the alleged recovery has taken place, 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 Excise P.S Case no. 539 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 Judge, Sheikhpura.

(Partha Sarthy, J)

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