

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11651 of 2025

Arising Out of PS. Case No.-218 Year-2024 Thana- Excise Jhanjharpur District- Madhubani

Binod Ram S/o Bilat Ram R/o Village- Dhanuki, Ward No.-03, P.S.- Laukahi,
District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 02-04-2025 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application for grant of anticipatory bail arises out of Jhanjharpur Police Station Case No. 218 of 2024, disclosing offence under Sections 30(a), 32(1) and 32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, as per the First Information Report, is that the police got secret information that the person was carrying liquor on his motorcycle, intercepting the motorcycle. Upon seeing the police party, the person driving the motorcycle fled away. The police recovered 16.2 litres of Nepali country-made liquor from the motorcycle in question.



The petitioner is the owner of the motorcycle.

4. Learned Counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has been made accused merely on the basis of the fact that he is the owner of the motorcycle in question which was borrowed by the cousin of the petitioner for some urgent work and the petitioner was not aware about the fact that illicit liquor was being carried in the said motorcycle. The petitioner was not present at the place of occurrence.

5. Regards being had to submissions made on behalf of the parties and taking into consideration the justification given by the petitioner that motorcycle was borrowed by his cousin and the petitioner is having no criminal antecedent, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Act, Jhanjharpur, Madhubani, in connection with Jhanjharpur Police



Station Case No. 218 of 2024, subject to the condition laid
down under Section 482 (2) of the B.N.S.S.

(Anil Kumar Sinha, J)

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