

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13471 of 2025

Arising Out of PS. Case No.-406 Year-2024 Thana- Excise P.S. District- Gopalganj

Ranjan Prasad Son of Paras Nath Prasad Gupta Resident of village- Baliwan
Sagar PS -Bishambharpur Dist -Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Harshvardhan, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 28-03-2025 Heard Learned Counsel for the petitioner and
Learned A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Excise P.S. Case No.406 of 2024, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution, the total recovery of 7.02 litres of *foreign* liquor have alleged to be made from a motorcycle, which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that petitioner was not present on the place of occurrence and his name has been transpired only on suspicion. Counsel further submits that criminal antecedent of the



petitioner is clean. He further submits that the petitioner is the owner of the motorcycle, but the said motorcycle, he has sold to other person and the same person was also sold to another person due to this reason, his name has figured in this case. In support of this argument, he has annexed Annexure-2 of the bail application.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that criminal antecedent of the petitioner is clean.

6. From Annexure-2, it transpires to this Court that it is undated sell letter where neither signature of seller nor purchaser found and no effort has been made by them to transfer the said vehicle in the name of purchaser. Though according to present law, the said transfer could be made by online mode. As such, this Court is not relying on the Annexure.2.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each with two sureties of the like amount each to the satisfaction of Addl. District and Sessions Judge-IV-cum- Exclusive Special



Excise Court-II, Gopalganj, in connection with Excise P.S. Case
No.406 of 2024, subject to the following conditions as laid
down under Section 438(2) of Cr.P.C.

(Dr. Anshuman, J.)

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