

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15153 of 2025

Arising Out of PS. Case No.-150 Year-2024 Thana- KARAI PARSURAI District- Nalanda

Pramod Kumar Son of Soharath Prasad Resident of Village - Gwalbigha,
Malikpur, P.S. - Karaiparsurai, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh

For the Opposite Party/s : Mr. Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 09-04-2025 1. 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 Karaiparsurai Police Station Case No. 150 of 2024, dated 21.09.2024, disclosing offences under Sections 30(a) of the Bihar Prohibition and Excise Act.
3. The prosecution case, as per the First Information Report, is that on 21.09.2024, while the police was on patrolling and going towards Berthu village from Bahapar village, they saw a motorcycle was coming from Berthu having two sacks tied on the back side of motorcycle and upon seeing the police, the person fled away leaving the motorcycle behind and escaped. Upon search, the police recovered total 100 liters of country made illicit liquor



from the motorcycle, having no registration number, bearing Chassis No. MBLHAW218RHD04719 and Engine No. HA11E7RHD07108.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case only because he happens to be the registered owner of the said motorcycle. He next submits that the petitioner was not present at the place of occurrence and illicit liquor has not been recovered from conscious possession of the petitioner. He next submits that the motorcycle, from where illicit liquor has been recovered, was borrowed by a co-villager, and the petitioner had no knowledge about the illicit liquor being kept therein. The petitioner has got no criminal antecedent.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner happens to be the registered owner of the motorcycle, which was borrowed by a co-villager, and the petitioner has got 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) each with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge V -cum- Special Judge Excise I, Biharsharfi, Nalanda, in connection with Karaiparsurai Police Station Case No. 150 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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