

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15955 of 2025

Arising Out of PS. Case No.-316 Year-2019 Thana- DALSINGHSARAI District- Samastipur

Shivanand Singh S/O Mahendra Narayan Singh R/O Village- Mow
Dhaneshpur Uttar, P.S- Vidyapati Nagar, Distt.- Samastipur, State- Bihar.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Krishna Nishant, Adv.
For the Opposite Party/s : Mrs. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-04-2025 Heard Learned Counsel for the petitioner and
Learned A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Dalsinghsarai P.S. Case No.316 of 2019, for the offence punishable under Sections 30(a), 30(c) and 30(d) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution, the total recovery of 1 litre of *mahua* liquor has been 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 spot and his name has been transpired only due to the reason that he is owner of the said motorcycle. Counsel further submits that criminal antecedent of the petitioner is not clean. There is one criminal



case pending against the petitioner rather than the excise matter. He further submits that the petitioner has sold his motorcycle to other person, but the purchaser has not transferred the said motorcycle in his name.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that criminal antecedent of the petitioner is not clean. There is one case pending against him which is not relating to excise matter.

6. 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 Exclusive Special Excise-1st, Samastipur in connection with Dalsinghsarai P.S. Case No.316 of 2019, subject to the following conditions as laid down under Section 438(2) of Cr.P.C.

(Dr. Anshuman, J.)

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