

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14455 of 2025

Arising Out of PS. Case No.-256 Year-2024 Thana- DEHRI TOWN District- Rohtas

Kamlesh Kumar @ Kamlesh Kumar Diwana S/O Ajab Narayan Singh
Resident of Village/Mohalla- Sichai Colony, ward no. 39, P.O.- Dehari, PIN-
821307, P.S.- Dehri Town, Dist.- Rohtas, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 28-03-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Dehri Town P.S. Case no. 256 of 2024, registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the informant states that seeing the police personnel, the accused managed to escape leaving behind a motorcycle. On search, 5.6 litres of country liquor was recovered from a plastic bag on the motorcycle. As such the case was registered against the owner of the motorcycle in question.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only for the reason that he happens to be the registered owner of the vehicle. The only mistake committed by the petitioner is that though he



had sold the vehicle several years back but he did not get the registration of the vehicle transferred in the name of the purchaser. Admittedly, no incriminating article was recovered from the petitioner’s possession. He has no criminal antecedent.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R, no incriminating article having been recovered from the petitioner’s possession and the petitioner not having any antecedent under the Bihar Prohibition and Excise Act, 2016, 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 Dehri Town P.S. Case no. 256 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 Judge, Excise-I, Rohtas at Sasaram.

(Partha Sarthy, J)

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