

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19699 of 2025

Arising Out of PS. Case No.-94 Year-2024 Thana- THAKRAHA District- West Champaran

Umesh Chaudhary Son of Bhagan Chaudhary Resident of village - Nawka
Tola Bhatahawa, Police Station - Thakara, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Perna Anand , Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-04-2025 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, petitioner was allegedly coming on bike bearing registration No. BR 22 AL 0187 from which total 27 liters of country made liquor was recovered. As per confessional statement of co-accused person, petitioner is owner of the seized vehicle.

4. Learned counsel for the petitioner submits that no incriminating material has been recovered from conscious



possession of the petitioner. Petitioner has got no concern with the alleged recovery and he has been made accused in this case only on basis of confessional statement of other co-accused person. He further submits that petitioner is neither driver nor owner of the motorcycle in question.

5 . Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Concerned Court below is directed to verify as to whether petitioner is owner of the seized motorcycle bearing Registration No. BR22AL0187 or not.

7. If petitioner is found to be the owner of seized motorcycle in question, then prayer for the bail of the petitioner shall stand refused.

8. If it is found that the seized motorcycle in question does not belong to this petitioner, then let the above named petitioner in the event of his arrest/surrender before the court below, be enlarged 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, Bagaha, West Champaran in connection with Thakaraha P. S. Case No. 94 of 2024, subject to condition as laid down under Section Section 482(2) of the Bharatiya Nagarik Suraksha



Sanhita, 2023.

9. Accordingly, instant bail application stands disposed of.

(Prabhat Kumar Singh, J)

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