

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**CRIMINAL MISCELLANEOUS No.18781 of 2025**

Arising Out of PS. Case No.-951 Year-2024 Thana- WAJIRGANJ District- Gaya

Gautam Kumar S/o- Gurusahay Yadav @ Gurusahay Prasad Village- Bahera  
P.S-Fatchpur District- Gaya ... .. Petitioner

Versus

The State of Bihar ... .. Opposite Party

**Appearance :**

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

For the Opposite Party/s : Ms. Rita Verma, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**

**ORAL ORDER**

2 15-04-2025

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 Wazirganj P.S. Case no. 951 of 2024, registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on a search being conducted 9 litres and 18 litres of IMFL were recovered from the two vehicles/motorcycles in question. On enquiry, it transpired that it was the petitioner and one another who were bringing the seized liquor and seeing the police personnel, they had managed to escape.

4. It is submitted by the learned counsel for the petitioner that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from the petitioner's possession or from his vehicle. The cause of false implication of the petitioner is that he happens to be the registered owner of one of the motorcycles bearing Registration no. BR-02BL-9387 from which allegedly 27 litres



of liquor was recovered. The petitioner has no criminal antecedent and undertakes to co-operate in the case/trial.

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, the petitioner not having been arrested at the spot and especially his 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 Wazirganj P.S. Case no. 951 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 Excise Court no. V, Gaya.

**(Partha Sarthy, J)**

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