

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.18780 of 2025

Arising Out of PS. Case No.-24 Year-2025 Thana- Excise Jhanjharpur District- Madhubani

Birbal Kumar Paswan S/O Ganga Ram Paswan Owner of Hero Passion Pro Motor Cycle, Reg No. BR32AF 3242, R/O Village- Gour Andhra, P.S- Rudrapur, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, 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 Jhanjharpur Excise P.S. Case no. 24 of 2025, registered under sections 30(a), 32(1) and 32(3) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the informant states that seeing the police personnel, the driver of the motorcycle abandoned the vehicle and managed to escape. On search, 22 litres of country liquor was recovered from the vehicle and the case was registered against the driver and owner of the vehicle.

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 in question. He was neither arrested at the spot nor any incriminating articles recovered either from his possession or from his motorcycle. He 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 cause of implication of the petitioner being that he happens to be the registered owner of the vehicle in question 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 Jhanjharpur Excise P.S. Case no. 24 of 2025 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 Special Judge, Excise Act, Jhanjharpur, District-Madhubani.

(Partha Sarthy, J)

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