

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19425 of 2025

Arising Out of PS. Case No.-259 Year-2022 Thana- KALUAHI District- Madhubani

Raju Sah Son of Brijlal Sah Resident of Village - Khapurpura, Ward No.13,
P.S - Kaluahi, District - 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. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-04-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Kaluwahi P.S. Case No. 259 of 2022, registered on 12.12.2022, for the offences punishable under Sections 272 & 273 of the Indian Penal Code and Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution, total recovery of 27 litres of illicit liquor has been made, 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 further submits that the petitioner has been made an accused solely on the ground that the alleged motorcycle was registered in his name, although he had already sold the motorcycle to co-



accused Baijnath Kumar Sah, who has been apprehended by the police. Counsel further submits that the sale affidavit has been annexed as *Annexure P/2*. Counsel fairly submits that an inadvertent mistake occurred, as the transfer of ownership could not be completed under the provisions of the Motor Vehicles Act, 1988. Counsel also submits that criminal antecedent of the petitioner is clean.

5. Learned APP for the State opposes the prayer for bail.

6. In the present facts and circumstances, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of Addl. Sessions Judge-II-cum- Special Judge (Excise Act), Madhubani, in connection with Kaluwahi P.S. Case No. 259 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

Aman Kumar/-

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