

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21828 of 2025

Arising Out of PS. Case No.-62 Year-2025 Thana- SIRDALA District- Nawada

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Rupesh Kumar S/o- Bhola Chaudhary @ Bhola Chaudhari Vill-
Mahugain,P.S. - Parnadabar, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Deepak Kumar, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 30-04-2025 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Sirdalla PS case no. 62 of 2025 dated 23.02.2025,
disclosing offences punishable under Section 30(a)/41 of Bihar
Prohibition and Excise Act.
3. The prosecution story, as per the First Information
report, is that on 23.02.2025 during evening patrolling, the
informant received secret information that the liquor was being
transported from motorcycle, intercepted two motorcycles on
which four persons were sitting. However, three persons were
apprehended and one person succeeded in fleeing away. It is
alleged that police recovered 210 liters of countrymade liquor



from two motorcycles. The arrested accused persons disclosed the name of the petitioner, who succeeded in fleeing away.

4. Learned Counsel for the petitioner submits that petitioner has falsely been implicated in this case on the basis of disclosure of his name by the arrested co-accused persons. Referring to paragraph no. 12 of the present application, learned counsel submits that seized motorcycles do not belong to the petitioner. The petitioner is stated to be having no criminal antecedent. He further submits that illicit liquor has not been recovered from the conscious possession of the petitioner and/or vehicle belonging to him.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having no criminal antecedent and he is not the owner of the motorcycle, from where, illicit liquor has been recovered, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six weeks, be released 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 Exclusive Special Excise Court-1,
Nawada in connection with Sirdalla PS case no. 62 of 2025,
subject to the condition laid down under Section 438 (2) of the
Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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