

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21622 of 2025

Arising Out of PS. Case No.-274 Year-2022 Thana- CHENARI District- Rohtas

Bharat Singh Son of Late Kapil Dev Singh Resident of Village - Ward No.-
10, Sakhuan, Police Station - Kargahar, District - Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Riya Singh, Adv
For the Opposite Party/s : Mr. Lalan Kumar, A.P.P

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 02-05-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Chenari P.S. Case No. 274 of 2022 registered for the offences punishable under Sections 30(a) of Bihar Prohibition and Excise Act, 2018.

3. As per prosecution case, there is alleged recovery of 30 litre country made liquor from the Hero Honda Motorcycle in question. FIR has been lodged against the owner of the motorcycle in question.

4. Learned counsel for the petitioner submits that petitioner is not named in the FIR and his name has been transpired in the present case as owner of the motorcycle in question. Learned counsel has referred para 12 of the bail



petition where it has been mentioned that petitioner has already sold the motorcycle in question to Santosh Kumar Singh and the copy of the same has been annexed as Annexure-2. He further submits that petitioner is quite innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner bears no criminal antecedent. Nothing has been recovered from the conscious possession of the petitioner. In the light of aforesaid facts and circumstances, no offence is made out against the petitioner under the provision of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Court No.1, Rohtas at Sasaram in connection with



Chenari P.S. Case No. 274 of 2022, subject to the conditions as
laid down under 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

vashudha/-

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