

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25653 of 2025

Arising Out of PS. Case No.-597 Year-2024 Thana- Excise P.S. District- Siwan

Narendra Gupta S/o- Nand Kishore Gupta Resident of village- Biswar PS-
Guthani District- Siwan

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey

For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 07-05-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Siwan (Sadar) Excise Police Station Case No. 597 of 2024, dated 03.10.2024, disclosing offence under Sections 30(a)/32 (3) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police, on secret information that a person was going on a motorcycle towards Maidania, through Bankata, reached at the place of occurrence and saw a person coming on a motorcycle and on suspicion, the police stopped the motorcycle and on search, the police recovered 14.4 litres of illicit liquor from the motorcycle.



The police also arrested the person who was driving the motorcycle, who disclosed his name as Vikash Singh.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case merely because he happens to be the registered owner of the motorcycle in question. He further submits that co-accused Vikash Singh had borrowed his motorcycle for his personal work and he had no knowledge about the illicit liquor being transported on his motorcycle. He further submits that the petitioner has no concern with the seized illicit liquor and he has got no criminal antecedent.
5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that the petitioner has got no criminal antecedent and he has been made accused on the basis of being the registered owner of the motorcycle, which was borrowed by co-accused Vikash Singh, who was arrested at the spot, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest



or surrender before the Court below within four 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 No. II, Siwan, in connection with Siwan (Sadar) Excise Police Station Case No. 597 of 2024, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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