

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25588 of 2025

Arising Out of PS. Case No.-380 Year-2020 Thana- RUPASPUR District- Patna

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Dheeraj Kumar S/O Jagdish Prasad Resident of Village- Murgia Chak,
Kothawan, P.S- Khagaul, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Priyanka Kumari

For the Opposite Party/s : Mr. Veena Kumari Jaiswal

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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 Rupaspur Police Station Case No. 380 of 2020,
disclosing offences under Sections 30(a) of the Bihar
Prohibition and Excise Act, 2016.

3. As per the prosecution case, on 09.11.2020,
during a patrol near Abhimanu Nagar, police intercepted a
Tempo and an unregistered e-rickshaw which upon seeing the
police party started fleeing away but were caught by the police.
The Tempo driver escaped after leaving the Tempo, but the e-
rickshaw driver, Raushan Chaudhary, was caught. Police
recovered 60 liters of illicit liquor from the Tempo and 20 liters
from the e-rickshaw.

4. Learned Counsel for the petitioner submits that



the petitioner has falsely been implicated in the present case merely on the basis of suspicion. Petitioner is not named in the FIR. Petitioner has been made accused merely on the basis of his being the owner of the E-rickshaw. The E-rickshaw was being plied by the driver who was arrested on spot. Petitioner being the owner was not aware about the liquor kept in E-rickshaw by the driver.

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 has been made accused merely on the basis of his being the owner of the E-rickshaw which was being driven by one Raushan Chaudhary who was arrested, 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 Special Excise Judge, Danapur, in connection with Rupaspur Police Station Case No. 380 of 2020, subject to the condition laid down under Section



438 (2) of the Code of Criminal Procedure/Section 482(2) of the
BNSS, 2023.

(Anil Kumar Sinha, J)

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