

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27062 of 2025

Arising Out of PS. Case No.-489 Year-2022 Thana- Excise P.S. District- Samastipur

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Gaurav Kumar @ Gaura Kumar S/o Manoj Singh @ Manoj Kumar Singh R/o
Village - Bajidpur Meyari , Police Station - Sarairanjan , District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-05-2025 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 Excise P.S. Case No. 489 of 2022, disclosing
offences under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act.

3. As per the prosecution case on 13.12.2022, the
informant got a secret information that co-accused Manoj
Kumar Singh is engaged in sale of illicit liquour and at
about 06:10 P.M., the informant along with police team
reached near Meyari Chowk to apprehend the co-accused.
Upon seeing the police team, the co-accused tried to flee

away leaving behind his motorcycle but was apprehended by the police team and upon search total 12 litres of country made liquor (Chulhai Liquor) was recovered from the motorcycle.

4. Learned Counsel for the petitioner submits that the petitioner has been made accused because he happens to be the owner of the said motorcycle from which the liquor was recovered. He further submits that the petitioner is an employee of Indian Railways and at the time of incident he was at Rourkela. The petitioner was not aware about the motorcycle being used by his father, who was arrested on the spot.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner happens to be the owner of the motorcycle and was not aware that his motorcycle was being used by his father, 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) each with two sureties of the like amount each to the satisfaction of learned Special Judge Excise-II, Samastipur, in connection with Excise P.S. Case No. 489 of 2022, subject to the condition laid down under Section 482 (2) of the B.N.S.S.

(Anil Kumar Sinha, J)

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