

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26963 of 2025

Arising Out of PS. Case No.-183 Year-2025 Thana- BARUN District- Aurangabad

1. Omprakh Sao @ Omprakash Kumar S/O Ram Prasad Rao @ Ram Prakash Sao R/O Village- Mehatha, P.S- Barun, Distt.- Aurangabad.
2. Ranjeet Chauhan S/O Naresh Chauhan R/O Village- Mehatha, P.S- Barun, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-05-2025 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under Section 30(a)(c) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 13.8 litres county made liquor and 135 kg *Mahua* flower was recovered from the seized motorcycle bearing registration No. BR26M7075.

4. Learned counsel for the petitioners submits that no incriminating material has been recovered from conscious possession of these petitioners and they are not concerned with the alleged recovery. Petitioner No. 1 is neither owner nor driver



of the seized motorcycle. He further submits that though petitioner No. 2 is registered owner of the seized motorcycle but he has got no concern with the alleged recovery. Petitioners have been made accused only on suspicion. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application and submitted that petitioner No. 2 is registered owner of the seized motorcycle.

6. Considering the fact that that petitioner No. 2 is registered owner of the seized motorcycle, his prayer for anticipatory bail is refused.

7. However, considering the nature of accusation and clean antecedent, this anticipatory bail is allowed with regard to petitioner No. 1 and it is ordered that let the above named petitioner No. 1 in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge of Excise-I, Aurangabad in connection with Barun P. S. Case No. 183 of 2025, subject to condition as laid down under Section 482 (2) of the Bharatiya



Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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