

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31089 of 2025

Arising Out of PS. Case No.-276 Year-2024 Thana- SALIMPUR District- Patna

Karu Pal S/o Neti Pal, Resident of Village - Salimpur Tola, Saidpur, PS-Salimpur, Dist- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Bihari Singh, Adv.
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 21-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Salimpur P.S. Case No. 276 of 2024 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. In course of patrolling, on a secret information, the police intercepted a motorcycle bearing registration no. BR-01FD-3708 and apprehended one Vikash Kumar. In course of search, total 15 lts. of country made liquor was recovered from the dickey of the motorcycle.

4. Learned counsel for the petitioner contended that the name of the petitioner has been implicated in this case only on account of he being registered owner of the motorcycle in



question. On the fateful day, the son of the petitioner, namely, Vikash Kumar had gone to bring some household articles and, in the meantime, he was apprehended by the police showing recovery of 15 lts. of country made wine. The petitioner has neither any concern with the alleged recovery nor any material has come during the course of investigation, suggesting his complicity in the crime. There are various other infirmities in search and seizure, coupled with the non-compliance of the provisions of Sections 103 and 105 of the BNSS. The petitioner is a man of fair antecedent and he undertakes that he will fully cooperate in the proceedings of the Court.

5. On the other hand, learned counsel for the State opposed the bail application and submitted that recovery of illicit wine from the motorcycle of the petitioner clearly bars anticipatory bail.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the name of the petitioner has been implicated only on account of he being registered owner of the motorcycle and there is no other material attracting the rigors provided under Section 76(2) of the Bihar Prohibition and Excise Act, 2016 as also the fair antecedent, let the above named petitioner, be released on bail,



in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, 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, Barh, Patna in connection with Salimpur P.S. Case No. 276 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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