

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31776 of 2025

Arising Out of PS. Case No.-46 Year-2025 Thana- KHAJANCHI HAT District- Purnia

Dr. Shashi Singh @ Shashi Kumar Singh S/O Jaydev Singh R/O Village- P.O
and P.S- K.Hat, Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nishant Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Nand Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 16-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with K. Hat P.S. Case No. 46/2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there is alleged recovery of 16 liters country made liquor from the motorcycle in question.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case due to village politics. He further orally submits that the petitioner is not named in the FIR and his name has been surfaced in this



case during course of investigation as the owner of the said motorcycle. He further submits that the petitioner is a homeopathic doctor. He had parked his motorcycle and went to meet his friends but when he came back, his motorcycle was not found there. Later on, he came to know that someone has misused the said motorcycle as there was recovery of illicit liquor from the said motorcycle and hence petitioner cannot be held liable for the alleged recovery. The petitioner bears no criminal antecedent. The petitioner was not found at the place of occurrence. No incriminating article has been recovered from the possession of the petitioner. There is no compliance of Section 103 of the B.N.S.S. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provision of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the



learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of learned Exclusive Special Judge, Excise Court No.01, Purnea in connection with K. Hat P.S. Case No. 46/2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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