

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33438 of 2025

Arising Out of PS. Case No.-311 Year-2025 Thana- Excise P.S. District- Aurangabad

Dhananjay Singh, S/o- Ramparwesh Singh, Resident of village-Mirzapur,
P.S.- Kutumba, Dist- Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Adarsh Singh, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Aurangabad Excise P.S. Case No.311 of 2025 registered under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 52.500 liters of IMFL/country-made liquor.

4. It is submitted by learned counsel for the petitioner that the petitioner implicated with present case only being the registered owner of motorcycle bearing Registration



No. BR26V-6091, which was found carrying illicit liquor. It is submitted that the motorcycle in issue was given to co-accused Deepak Paswan in good faith being co-villager for personal use but, same was misused and the act of co-accused Deepak Paswan *qua* misuse was not in the knowledge of this petitioner and, therefore, it can be safely said that recovery of illicit liquor was not made from conscious physical possession of this petitioner, who is otherwise a man of clean antecedent.

5. Learned APP opposed the prayer of anticipatory bail to the petitioner.

6. In view of aforesaid factual submissions and by taking of note of fact as recovery of illicit liquor *prima facie* not appears to be made from conscious physical possession of this petitioner, who is a man of clean antecedent, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the



learned Exclusive Special Judge, Excise Court No.-II,
Aurangabad (Bihar) in connection with Aurangabad Excise
P.S. Case No.311 of 2025, subject to the conditions as laid
down under Section 438(2) of the CrPC/under Section 482(2)
of the BNSS.

(Chandra Shekhar Jha, J.)

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