

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34047 of 2025

Arising Out of PS. Case No.-207 Year-2023 Thana- NAVINAGAR District- Aurangabad

Alok Kumar @ Alok Kumar Singh S/o Nandlal Singh R/o Village- Dulhar,
P.S.- Hassainabad, District- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 22-05-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Nabinagar P.S. Case No. 207 of 2023 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amended Act, 2018.

3. As per prosecution case, 16.200 litre illicit liquor was recovered from I-smart motorcycle in question and co-accused Ankit Kumar and Sujal Kumar were apprehended on the spot.

4. Learned counsel for the petitioner orally submits that petitioner is not named in FIR. During the course investigation the name of the petitioner has been surfaced in this case as the owner of the said motorcycle in question. He further



submits that co-accused Sujal Kumar has taken the said motorcycle and he has misused the same and petitioner cannot be held liable for the alleged recovery. Petitioner was not found at the place of occurrence. He has no concern either with the alleged liquor or with the apprehended co-accused persons. Petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner bears no criminal antecedent. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State opposes 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 Special Judge Excise



Ist, Aurangabad, Bihar in connection with Nabinagar P.S. Case
No. 207 of 2023, subject to the conditions as laid down under
Section 482 (2)of BNSS.

7. The application stands allowed.

(Alok Kumar Pandey, J)

alok/-

U		T	
---	--	---	--

