

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35075 of 2025

Arising Out of PS. Case No.-297 Year-2023 Thana- BABUBARHI District- Madhubani

Manoj Kumar Sharma S/O Dinesh Thakur Village- Padma, PS- Ladaniya,
District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagandeo Yadav
		Mr. Vinod Kumar
For the State	:	Mr. Binod Kumar

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 02-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. Perusal of the first information report and the seizure list, would go to show that 22.2 liters of Nepali country made liquor is said to have been recovered from two motorcycles, bearing Registration No. BR32AD4659.

4. It is submitted by learned counsel for the petitioner that there is no recovery from the physical and conscious possession of the petitioner. As a matter of fact, the name of the petitioner has surfaced in the present case on account of the fact that he is the owner of the seized motorcycle.



However, it has been submitted that the petitioner had sold the said motorcycle way back in December, 2022 to one Amresh Kumar Singh but the ownership of the seized vehicle was not transferred. The petitioner had no knowledge whatsoever that the said motorcycle had been put to illegal use. Further, the petitioner has no criminal antecedent.

5. Learned APP for the State opposes the prayer for anticipatory bail.

6. Taking into consideration the fact and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged 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 court below where the case is pending/successor court in connection with G.O. Case No. 1391 of 2023 arising out of Babubarhi P.S. Case No. 297 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S.

(Soni Shrivastava, J)

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