

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34888 of 2025

Arising Out of PS. Case No.-27 Year-2022 Thana- LADANIA District- Madhubani

Umesh Prasad Raut S/o- Sukhdeo Rout Village- Kasma Marar PS-Khajaudi
District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Adv.
For the Opposite Party/s : Ms.Pushpa Sinha, APP

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. Petitioner is apprehending arrest in connection with Ladaniya P.S. Case No. 27 of 2022 registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per prosecution case, there is alleged recovery of 63 liters illicit Nepali country made liquor from the TVS Motorcycle No. 32A 8122. Co-accused Kamaldeo Ram was apprehended at the spot.

4. Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. His name has surfaced during investigation as the owner of the TVS motorcycle in



question. Learned counsel submits that petitioner had already sold the vehicle to the co-accused Kamaldeo Ram on 17.08.2021 much prior to the date of occurrence of the present case i.e. 01.02.2022 as is evident from the certified copy of the sale-letter which is enclosed as Annexure-2 to the bail petition. In this way, petitioner is not in any way connected with the alleged occurrence and no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act. Petitioner bears criminal antecedent of one case in which he is already on bail.

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

6. Considering the facts and circumstances of the case, 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 arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Additional Sessions Judge II-cum-Special Judge, Excise Act, Madhubani in connection with Ladaniya P.S. Case No. 27 of 2022, subject to the conditions as



laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Alok Kumar Pandey, J)

mcverma/-

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

