

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36187 of 2025

Arising Out of PS. Case No.-43 Year-2025 Thana- Excise P.S. District- Kishanganj

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Paresh Chandra Biswas @ Paresh Ch. Biswas S/O Radha Gobinda Biswas
R/O Village-Kanki Naya Nagar, PS- Chakulia, District Uttar Dinazpur (WB)

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The State Of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mr.Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 18-06-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Madhya Nisedh Police Station Case No. 43 of 2025, disclosing offences under Sections 30(a), 32(3) of the Bihar Prohibition and Excise Act, 2016.
3. As per the prosecution case, during vehicle check on 16.01.2025 at about 09:15 pm, the police party intercepted a motorcycle bearing Reg. No- WB 60M – 6351. During the course of checking, 1.5 liters of illicit liquor was recovered from seat between driver and person seating at the rear seat of the motorcycle. The rider disclosed his name as Mrityunjay Vishwas and another co-accused Tinku Mandal was



sitting on the rear seat of the motorcycle.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in the present case due to ulterior motive. Petitioner was not arrested from the spot and nothing has been recovered from the conscious possession of the petitioner. Petitioner has been made accused merely on the basis of his being the registered owner of the seized motorcycle which the son of the petitioner had taken on the alleged date of occurrence without his permission and was arrested. Petitioner is having no criminal antecedent.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having no criminal antecedent and he has been made accused on the basis of his being the registered owner of the seized motorcycle which his son had taken without his permission, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs.



10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, (Excise)-II, Kishanganj, in connection with Madhya Nisedh Police Station Case No. 43 of 2025, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

HarshPandey/-

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