

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35246 of 2025

Arising Out of PS. Case No.-62 Year-2024 Thana- Lalitgram District- Supaul

Ranjeet Kumar S/o Bramdev Yadav Resident of village - Ramghat Koskapur,
Ward No. 05, Police Station - Narpatganj, Distt.- Araria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Md. Anwar

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 28-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Lalitgram P.S. Case No. 62 of 2024 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2022.

3. As per prosecution case, 40.5 litre illicit country made liquor was recovered from motorcycle in question and driver of the aforesaid motorcycle fled away from the spot. Hence, FIR has been registered against driver and owner of the motorcycle in question.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case.



Learned counsel orally submits that petitioner is not named in the FIR and during course of investigation his name has been surfaced in this case as owner of the motorcycle in question. He further submits that motorcycle of the petitioner was taken by his relative for purchasing articles from the market and later on petitioner came to know that motorcycle has been misused for carrying the illicit liquor and hence, petitioner cannot be held responsible for the alleged recovery. He further submits that petitioner bears no criminal antecedent. No incriminating article has been recovered from conscious possession of the petitioner. Petitioner was not found on the place of occurrence. Petitioner has no concern with the seized liquor. In the light of aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provision 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 the 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 Exclusive Special Judge, Excise Court-2, Supaul in connection with Lalitgram P.S. Case No. 62 of 2024, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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