

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37033 of 2025

Arising Out of PS. Case No.-362 Year-2025 Thana- Excise P.S. District- Aurangabad

Satendra Kumar S/O Surendra Chaudhary R/O Vill.- Karkata, P.S.- Risiup,
Dist.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate
For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-06-2025 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 Excise P.S. Case No. 362 of 2025, dated 08.04.2025 disclosing offences under Section 30(a), 32(3) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution case, there is recovery of total 75 liters of toddy liquor from an Apache motorcycle bearing Registration No. BR26AA7536.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. No incriminating article has been recovered from



conscious physical possession of the petitioner. The petitioner does not possess the said seized Apache motorcycle rather said vehicle was given as gift by the petitioner to his brother-in-law co-accused Bharat Chaudhary in marriage but due to pending monthly instalments, the vehicle got registered in the name of petitioner due to which the petitioner has been made accused in the present case. The petitioner has clean antecedent.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the fact that the petitioner has clean antecedent and no recovery has been made from his conscious physical possession rather recovery has been made from the motorcycle which was driven by co-accused Bharat Chaudhary (brother-in-law of the petitioner) at the time of alleged occurrence, let the petitioner, above named, in the event of arrest or surrender before the court below within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise-II, Aurangabad (Bihar) in connection with Excise P.S. Case No. 362 of 2025, subject to



the conditions as laid down under Section 438(2) of the Code
of Criminal Procedure/ Section 482 (2) of the BNSS, 2023.

(Anil Kumar Sinha, J.)

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