

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40483 of 2025

Arising Out of PS. Case No.-262 Year-2025 Thana- Excise P.S. District- Aurangabad

Amit Sharma Son of Mahesh Sharma Resident of Village- Satgawan, P.S.-
Hariharganj, District- Palamu, Jharkhand- 822131

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aatish Kumar

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 15-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection with
Excise Sadar Aurangabad P.S. Case no. 262 of 2025 instituted for
the offence under Sections 30(a), 32(3) of the Bihar Prohibition of
Excise Act.

3. Prosecution case relates to recovery of 3.175 litres
IMFL from a motorcycle and accused Pawan Kumar was arrested
on spot.

4. Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has got no criminal antecedent. Petitioner has no
concern with the alleged recovery rather he has been implicated in
this case only because of he is registered owner of the alleged



vehicle. It is mentioned in para no. 7 of the petition that petitioner had given his motorcycle to FIR named accused person, namely, Pawan Kumar to attend marriage ceremony. Provision of Section 103 of the B.N.S.S. has not been followed by the police officials while preparing the seizure list. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

5. Learned APP appearing for the State has opposed the prayer of Bail.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Aurangabad P.S. Case no. 262 of 2025, he will 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 learned Spl. Judge, Excise 2nd, Aurangabad subject to the conditions as laid down under section 482 of the BNSS.

(S. B. Pd. Singh, J)

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