

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39092 of 2025

Arising Out of PS. Case No.-59 Year-2025 Thana- TARARI District- Bhojpur

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Dhananjay Kumar Son of Kanhaiya Ray Resident of Mohalla- New
Krishnapuri, Kokar, Besides Vijay Vargiya Complex, P.S.- Sadar Ranchi,
Distt.- Ranchi, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhirendra Singh, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

- 2 27-06-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. The petitioner apprehends his arrest in connection
with Tarari P.S. Case no.59 of 2025 registered under Section
30(a) of the Bihar Prohibition and Excise Act, 2016.
3. As per the prosecution case, 100 liters of country
made liquor was recovered from a big bag carried on
motorcycle bearing Registration No. JH0CL4132. The accused
persons who were driving the said motorcycle were
apprehended at the spot.



5. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The petitioner is not named in the F.I.R and cause of his false implication is only for the reason that he happens to be the registered owner of the seized motorcycle. No recovery has been made from physical or conscious possession of the petitioner. He further submits that his brother-in-law, namely, Abhishek Kumar took his motorcycle for purchasing of medicine for his sister and the petitioner has no knowledge that his motorcycle had been put to illegal use. There is a violation of mandatory provisions of search and seizure as there is no independent witness to the seizure list. The petitioner has no criminal antecedent and undertakes to cooperate in the case/trial.

6. The application for anticipatory bail is opposed by learned A.P.P. for the State.

7. In view of the aforesaid facts and circumstances of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Tarari P.S. Case no.59 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned



Exclusive Special Judge-II, Excise, Bhojpur at Ara, subject to
the condition laid down under Section 438(2) of the Code of
Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

Harsh/-

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