

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42978 of 2025

Arising Out of PS. Case No.-207 Year-2024 Thana- BHAGWANGANJ District- Patna

Uma Shankar Prasad S/o Late Ramdhyan Singh Resident of Village- Sherpura
Dihuli, P.S.- Dulhin Bazaar, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avinash Kumar Singh, Adv.

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 6 04-11-2025 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.
3. The case was taken case up on 18.07.2025 when a report was called for from the DTO, Patna, but the same till date has not been received, as such, the Court will not wait endlessly for the report.
4. Learned APP for the State, at the outset, submits that



when the case was taken up on 18.07.2025, a report was called for from the office of the DTO, Patna with regard to the vehicle in question on the ground that petitioner had taken a plea that he had sold the vehicle in question prior to the occurrence to Indrajeet Kumar, but the same till date has not been received. The learned APP next submits that from perusal of the pleadings made in the anticipatory bail application nowhere it is pleaded that the vehicle in question was legally transferred in favour of Indrajeet Kumar, as such, the petitioner till date is the legal owner of the vehicle, but then it absolutely does not stand to reason that as to why the said stand was taken before this Court when the vehicle was not transferred legally. It is submitted that since 15 liters liquor was recovered from the motorcycle, as such, it appears that for the purpose of seeking anticipatory bail, the said plea was taken.

5. Learned counsel appearing on behalf of the petitioner is not in a position to rebut the submission of the learned APP and submits that legally petitioner is the owner of the vehicle, on which the learned APP submits that when the vehicle was not transferred in accordance with law, still a stand was taken that petitioner is not the owner of the vehicle for obvious reason i.e. for seeking anticipatory bail, but when a report was called for from the DTO, it is being submitted that petitioner is the legal owner of the vehicle in question.



6. Considering the submissions made by the learned APP for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. Accordingly, the instant anticipatory bail application stands rejected.

(Satyavrat Verma, J)

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