

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41482 of 2025

Arising Out of PS. Case No.-423 Year-2025 Thana- Excise P.S. District- Aurangabad

Santosh Kumar @ Shantosh Kumar S/o Rampravesh Mehta R/o Village-
Bahera Bigha, PS- Kutumba, Distt- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs. Anita Kumari, APP

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

ORAL ORDER

2 16-07-2025 Heard learned counsel for the parties.

2. The petitioner is apprehending his arrest in connection with Excise P.S Case No. 423 of 2025, for the offences under Sections 30(a)/32(3) of the Bihar Prohibition and Excise Amendment Act.

3. As per the prosecution story, total 8 litres of illicit bear was recovered from a motorcycle.

4. Learned counsel for the petitioner submit that petitioner has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of this petitioner. The petitioner is the registered owner of the seized motorcycle. Petitioner is not named in the F.I.R. Petitioner has no concern with the alleged recovery. The cousin brother of the petitioner namely Basant Kumar (co-



accused) had taken the motorcycle of the petitioner for some urgent work. Due to wrong deed of the co-accused Basant Kumar & Gautam Kumar, the petitioner has been made accused in the present case. Petitioner has no criminal antecedent.

5. Learned Additional Public Prosecutor for the State opposes the prayer for anticipatory bail.

6. Keeping in view the aforesaid facts of the case and also considering clean antecedent of the petitioner, let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the date of receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Court of Special Judge, Excise Court No. II, Aurangabad in connection with Excise P.S Case No. 423 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.

(S. B. Pd. Singh, J)

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