

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43127 of 2025

Arising Out of PS. Case No.-106 Year-2025 Thana- JAYNAGAR District- Madhubani

Upendra Gami, Son of Ramavtar Gami, Village- Shahid Chowk, p.s- Jaynagar
District -Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

5 13-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Jaynagar P.S. Case No. 106 of 2025 for the offence registered under Sections 274, 275, 317(5) of the BNS and Section 30 (a) of the Bihar Prohibition & Excise Act.

3. As per the prosecution case, total 540 litres of Nepali Gaurav Sofi liquor recovered from three motorcycles near Fardahi Durga Mandir Bandh. It is alleged that the petitioner along with the co-accused managed to escape leaving the motorcycles.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case being the registered owner of the one of the seized



motorcycles. He has no concern with the seized liquor. There is no incriminating article recovered from the conscious possession of the petitioner. Petitioner was not present at the place of occurrence. He further submits that the petitioner sold the said motorcycle to one Dipendra Yadav on 19.02.2024 and the occurrence took place on 01.04.2025. In this regard he has submitted copy of the sale letter on record through supplementary affidavit. He further submits that purchaser dipendra Yadav had not transferred the ownership in his name from the concerned Authority. Now, after sale, the petitioner has no concern with the said motorcycle. Petitioner has no criminal antecedent. Petitioner undertakes to cooperate in the investigation of this case.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the



concerned Court where the case is pending in connection with
Jaynagar P.S. Case No. 106 of 2025, subject to the conditions as
laid down under Section 482 (2) of the B.N.S.S.

(Sunil Dutta Mishra, J)

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