

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41545 of 2025

Arising Out of PS. Case No.-1197 Year-2023 Thana- SHERGHATI District- Gaya

Kanhai Sav @ Kadhari Sao, S/o Jagdeo Sao R/o Village- Dobhi, P.S.- Dobhi
in the District of Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Sherghati (Bahera) P.S. Case No. 1197 of 2023 dated 27.11.2023
instituted for the offence punishable under Sections 30(a) of Bihar
Prohibition and Excise Act.

3. The allegation is of recovery of total 3.375 litres
foreign liquor from a motorcycle bearing Registration No.
BR02A0-6095.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that the petitioner is not named in the
F.I.R. During the course of investigation, the petitioner has been
made accused in this case only on the basis of seized motorcycle



bearing Registration No. BR02A0-6095. The petitioner purchased the said motorcycle in the year 2017. On 13.08.2022, the motorcycle of the petitioner was stolen but despite of the information given by him, the local police did not lodge the F.I.R. Thereafter, the petitioner had no concern with the said motorcycle. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Sherghati (Bahera) P.S. Case No. 1197 of 2023, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-cum-Exclusive Special Judge, Excise-V, Gaya subject to condition as laid down under Section 482(2) of the B.N.S.S.

(Khatim Reza, J)

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