

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43618 of 2025

Arising Out of PS. Case No.-38 Year-2025 Thana- TEYAR District- Bhojpur

Chandan Kumar S/o Hardev Singh R/o Village and P.O.- Tiyar, P.S.- Tiyar,
District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bibhakar Tiwary, Advocate
		Mr. Dilip Kumar Tiwary, Advocate
For the Opposite Party/s	:	Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 23-07-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Tiyar P.S. Case no.38 of 2025, registered under section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the informant states that on seeing the police personnel the person driving a motorcycle with a sack loaded on it lost balance and fell down. It is further stated that the accused abandoned the vehicle and managed to escape. On search 40 litres of liquor was recovered.

4. Learned counsel for the petitioner submits that no incriminating article has been recovered from the petitioner's possession who has been falsely implicated in the case only for the reason that he happens to be the registered owner of the vehicle in question. Neither any sack was loaded on his vehicle



nor any liquor recovered. The informant seized the motorcycle in question while it was parked at a public place. The petitioner has no criminal antecedent and undertakes to cooperate in the investigation/trial.

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

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R., the petitioner not having been arrested at the spot, no incriminating article having been recovered from the petitioner's possession and especially the petitioner not having any antecedent under the Bihar Prohibition and Excise Act, 2016, 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 Tiya P.S. Case no.38 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 Excise Judge-II, Bhojpur, Ara.

(Partha Sarthy, J)

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