

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46167 of 2025

Arising Out of PS. Case No.-331 Year-2023 Thana- BABUBARHI District- Madhubani

Jamun Raut S/o Late Suvadh Raut R/o Village- Salkhniya, PS- Babubarhi,
District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate

Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

4 13-10-2025 Pursuant to order dated 31.07.2025, a report from Superintendent of Police, Madhubani has been received in which it is stated that petitioner had sold the seized motorcycle to one Prabhakar Bharti on 14.09.2023.

2. Heard learned counsel for the petitioner and learned A.P.P. for the State.

3. The petitioner apprehends arrest in a case registered under Sections 30(a) and 41 of Bihar Prohibition and Excise Act.

4. As per the prosecution case, there is recovery of 20.820 litres of illicit liquor from the motorcycle of the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. Further submission is that petitioner is neither the owner



nor the driver of the seized vehicle. The vehicle in question had already been sold to one Prabhakar Bharti on 14.09.2023. Petitioner was not present on the spot and he has no concern with the seized illicit liquor. Nothing has been recovered from the conscious possession of the petitioner. It is submitted that Petitioner has no criminal antecedent and he undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Babubarhi P.S. Case No. 331 of 2023, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

(Sunil Dutta Mishra, J)

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