

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46812 of 2025

Arising Out of PS. Case No.-55 Year-2024 Thana- GHURNA District- Araria

Hakim Tuddu S/o Safal Tuddu Resident of Village- Madhura South, Rajganj,
P.S.- Narpatganj, Distt- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Adv.
For the State : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 18-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The perusal of the FIR and the seizure list shows that there is a total recovery of 110.250 litres of foreign liquor from three motorcycles.

4. Learned counsel for the petitioner submits that the name of the petitioner has surfaced in this case on account of the fact that he is the registered owner of one of the seized motorcycles bearing Registration No. BR38AK3112. It is further submitted that the petitioner had given his motorcycle to one of his relatives for some urgent work and hence, he had



no knowledge whatsoever that the same was put to some illegal use. It is next submitted that no recovery was made from the physical and conscious possession of the petitioner and there is no independent witness to the seizure list. It is also pointed out by learned counsel for the petitioner that this petitioner has no criminal antecedent as mentioned in para 3 of the bail application.

5. Learned APP for the State, however, opposes the prayer for anticipatory bail.

6. Considering the entire facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Ghurna P.S. Case No. 55 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

(Soni Shrivastava, J)

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