

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51008 of 2025

Arising Out of PS. Case No.-196 Year-2021 Thana- BAIKUNTHPUR District- Gopalganj

Gajendra Pathak @ Gajendra Kumar Pathak Son of Sureshwar Pathak
Resident of Village- Masuaria, P.S- Mahmmadpur, District-Gopalganj
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is apprehending arrest in connection with Baikunthpur P.S. Case No. 196 of 2021, dated 01.07.2021, lodged under Section 411 of the Indian Penal Code, Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022 and Sections 180 & 181 of the M.V. Act, 2019.

3. As per the prosecution, total recovery of 10 litres of illicit liquor has been made from the motorcycle, which is alleged to be registered in the petitioner's name, and which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that the criminal antecedent of the petitioner is clean. He further submits that the petitioner had already sold the



motorcycle in the year 2014, but unfortunately, the purchaser did not get it registered under the M.V. Act, as such, the motorcycle is still in the name of the petitioner. He further submits that during the investigation, a final form has been submitted, and the Trial Court has taken cognizance against him.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of District & Additional Sessions Judge- XIII cum Special Excise Court No. 1, Gopalganj, in connection with Baikunthpur P.S. Case No. 196 of 2021, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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