

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50743 of 2025

Arising Out of PS. Case No.-185 Year-2025 Thana- MOTIPUR District- Muzaffarpur

Amarjeet Kumar, S/o Birendra Bhagat, Resident Of Village- Mangauli, PS-
Saraiya, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Adv.

For the Opposite Party/s : Mr. Satyendra Narayan Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 12-08-2025 Heard learned Advocate appearing on behalf of the

petitioner and the learned Additional Public Prosecutor for the

State.

2. The petitioner apprehends his arrest in connection
with Motipur P.S. Case No. 185 of 2025, registered for the
offences punishable under Sections 317(5) of the Bharatiya
Nyaya Sanhita, 2023 as well as Section 30(a) of the Bihar
Prohibition & Excise Act, 2022.

3. In course of vehicle checking the police on a secret
information intercepted two persons who were coming on a
scooty having registration no. BRO6CD-5806. On search, total
6 pieces of beer containing 500ml each were recovered. The
petitioner has been made accused on account of he being owner
of the vehicle.



4. Learned Advocate appearing on behalf of the petitioner submitted that admittedly the petitioner was neither present at the place of occurrence nor during course of investigation any material has come which suggest the connection of the petitioner with the recovered illicit beer. In fact, only on account of he being owner of the vehicle in question, his name has been implicated in this case. On the alleged date of occurrence, in fact one Gaurav Kumar, who was apprehended by the police had taken his scooty on the pretext of bringing medicine from Muzaffarpur and the petitioner was not knowing that his scooty/vehicle has ever been used for illicit purpose. The aforesaid contention also fortified in view of the fair antecedent of the petitioner.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that the recovery of incriminating material from the petitioner's scooty clearly suggest his complicity.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that save and except the petitioner being owner of the vehicle in question, there is no material suggesting his complicity in the crime coupled with his fair antecedent and also the lack of necessary



materials which attract the rigors provided under Section 76(2) of the Bihar Prohibition and Excise Act, 2016, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court of Exclusive Special judge, Excise Court-II, Muzaffarpur in connection with Motipur P.S. Case No. 185 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

supratim/-

U		T	
---	--	---	--

