

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.58645 of 2025**

Arising Out of PS. Case No.-483 Year-2018 Thana- MAIRWAN District- Siwan

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Viswanath Prasad, S/O Late Parshuram Sah, R/o village - Gopalpur, P.S. -  
Hussainganj, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ramadhar Shekhar, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA**  
**ORAL ORDER**

2      23-09-2025                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Mairwa P.S. Case No. 483 of 2018, instituted under Sections 272, 273, 308 of the BNS and Sections 30(a), 38(i) and 41(i) of the Bihar Prohibition and Excise Act.

3. There is recovery of 311.040 litres foreign liquor from the car bearing Registration No. JH-02-D-5871 of the petitioner and one co-accused Anand Kumar Pandey@ Raju Pandey was arrested on the spot. Petitioner is the owner of the seized vehicle.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this



case being registered owner of the seized vehicle. Petitioner was not present on the spot. No incriminating material has been recovered from his possession. He has no concern with the seized liquor. It is further submitted that he had sold the said vehicle to one Syed Ali Panjtam, son of Late Syed Asagar Ali, on 05.09.2012 and handed over the said vehicle and the relevant papers to him who had not taken steps for transfer of the ownership to the concerned Authority. Petitioner had no knowledge about the misuse of his sold car by the purchaser of the said vehicle. Petitioner has no criminal antecedent. He undertakes to co- operate in the investigation and trial.

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

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, above-named, be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No. 1, Siwan, in connection with Mairwa P.S. Case No. 483 of 2018, subject to the conditions laid down in Section 482 (2) of the Bhartiya



Nagrik Suraksha Sanhita (B.N.S.S.), 2023.

(Sunil Dutta Mishra, J)

khushbu/-

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