

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57698 of 2025

Arising Out of PS. Case No.-259 Year-2025 Thana- Excise P.S. District- Kishanganj

Riya Dey @ Ria Dey Daughter of Ashim Dey, R/o vill - E/143 Ramgarh Raja,
S.C. Mallick Road Naktala, S.O. Kolkata, P.S- Nataginagar, W.B.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anurag Saurav, Advocate. Ms. Sharda Raje Singh, Advocate. Mr. Abhishek Kumar, Advocate. Ms. Prity Kumari, Advocate. Mr. Ankesh Bibhu, Advocate.
For the Opposite Party/s	:	Mr. Satya Nand Shukla, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 15-09-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Special Case No.268 of 2025 arising out of Madya Nishedh P.S. Case No.259 of 2025 instituted under Sections 30(a), 32(3) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 1.650 litre illicit foreign liquor from the Maruti Suzuki Car bearing Registration No. WB-12AZ-8884. It is alleged that all the co-accused persons were apprehended on the spot.

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



case being the owner of the vehicle in question. He further submits that the petitioner was not present on the spot and no incriminating article has been recovered from his conscious possession. Learned counsel submits that the brother of petitioner borrowed the said vehicle from the petitioner to visit Darjeeling along with his friends and for the said purpose petitioner had given the vehicle to his brother and he had no knowledge about the misuse of his vehicle by the co-accused who is his brother. He further submits that petitioner has no concern with the alleged seized liquor. Learned counsel submits 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 aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the concerned Court 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 learned Special Judge Excise, Kishanganj/ concerned Court in connection with Special Case No.268 of



2025 arising out of Madya Nishedh P.S. Case No.259 of 2025,
subject to the conditions as laid down under Section 482(2) of
the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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