

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58010 of 2025

Arising Out of PS. Case No.-192 Year-2024 Thana- DURGAWATI District- Kaimur (Bhabua)

Shivanand Goutam S/o Dharmendra Ram R/o Village - Barahpur, P.S -
Nandganj, District - Ghazipur (U.P)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 16-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

3. As per prosecution case, 5.580 litres illicit liquor was
recovered from a motorcycle registered in the name of
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case only being the owner of the motorcycle. Nothing has been
recovered from conscious possession of the petitioner. The
petitioner had already sold the motorcycle in question on
16.05.2021 to Vipin Kumar on non-judicial stamp paper at Uttar
Pradesh, however, inadvertently the transfer of the name of the



owner has not been done. The apprehended accused Sonu Kumar himself deposed that he had bought the said motorcycle in auction from Bhabua. Petitioner has no concern either with the seized illicit liquor or the vehicle. Petitioner has no criminal antecedent and he undertakes to cooperate in the investigation and the trial.

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

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 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 learned Special Judge, Excise-II, Kaimur at Bhabua in connection with Durgawati P.S. Case No.192 of 2024, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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