

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57586 of 2025

Arising Out of PS. Case No.-98 Year-2017 Thana- AMBA District- Aurangabad

Om Prakash S/o Sitaram Yadav R/o Village - Ramdiha, P.S - Aurangabad
Town, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate
For the Opposite Party/s : Mr. Braj Kishore Pd., A.P.P.

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 arrest in a case registered
under Sections 30(a) and 38(a) of Bihar Prohibition and Excise
Act.

3. As per the prosecution case, 280 litres of country
made liquor was recovered from Maruti Suzuki car bearing Reg.
No. TN01-K-4986 and 60 litres of country made liquor was
recovered from motorcycle bearing Reg. No. BR01-BQ-4778. It
is alleged that the said motorcycle belongs to this petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. Further submission is that petitioner is not named in the
F.I.R., his name has transpired in this case during course of
investigation that petitioner had purchased the motorcycle in



question on 01.08.2016 from one Vijay Kumar Soni which is totally false. Petitioner has never purchased the said motorcycle. Petitioner was neither present on the spot nor he has any concern with the seized illicit liquor or motorcycle. Nothing has been recovered from the conscious possession of the petitioner. 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 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 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 of Excise-1, Aurangabad in connection with Amba P.S. Case No. 98 of 2017, G.R. No. 973 of 2017, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

(Sunil Dutta Mishra, J)

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