

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57333 of 2025

Arising Out of PS. Case No.-57 Year-2025 Thana- TURKAULIYA District- East Champaran

Awadhesh Patel Son of Banshi Patel Resident of village - Belwa Purbari Tola,
Ps- Turkauliya, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harshe Shashwat, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 09-09-2025 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 Sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, during patrolling one person, namely, Islam Mian was apprehended with Hero Splendor motorcycle and two persons succeeded in fleeing away. On search, total 28 litres country made liquor was recovered from apprehended person as well as from the motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on the basis of disclosure made by apprehended accused. Petitioner is neither the owner of the seized vehicle nor he was



apprehended on the spot. Except disclosure statement, there is nothing against the petitioner. Nothing incriminating has been recovered from conscious possession of the petitioner. Petitioner has no concern either with the seized illicit liquor or motorcycle. The 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 Court No.1, Motihari, East Champaran in connection with Turkauliya P.S. Case No.57 of 2025, 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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