

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60232 of 2025

Arising Out of PS. Case No.-247 Year-2020 Thana- KATORIYA District- Banka

Sajjan Kumar Pachisia Son of Sri Gauri Shankar Pachisia Resident of Village-
Pachisia Gali, Jhumari Tilaiya, Ps- Tilaiya, Dist- Kodarama, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nand Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 22-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Katoriya P.S. Case No. 247 of 2020 registered for the offences punishable under Section 56(d) Bihar Prohibition and Excise Act, 2016 read with Rule 3 Mahua Flower Rule.

3. As per prosecution case, 50 kg Mahua Flower was recovered from the Hero Honda Motorcycle in question and co-accused Jainarayan Barnwan was apprehended on the spot.

4. Learned counsel for the petitioner submits that petitioner is not name in FIR. During the course of investigation, the name fo the petitioner has been transpired in this case as the owner of the said motorcycle in question. He further submits that petitioner has sold the said motorcycle in



question to one Sri Bandhan Singh in the year 2011 as mentioned in Annexure P/2 of the instant petition. Petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act. Petitioner bears no criminal antecedent.

5. The 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, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Exclusive Excise Court-2, Banka in connection with Kotariya P.S. Case No. 247 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



7. The application stands allowed.

(Alok Kumar Pandey, J)

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