

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60713 of 2025

Arising Out of PS. Case No.-382 Year-2021 Thana- BIBHUTIPUR District- Samastipur

Bhola Rai S/o- Singheshwar Rai @ Sidheshwar Ray Resident of village-
Boriyadih PS- Bibhutipur Dist-Samastipur, A/P- Street No-2, Near Dhobighat
Old Suraj Nagri Ps- Abohar Dist- Phajilka Punjab.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 23-09-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

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

3. As per the prosecution case, there is recovery of
750 ml. illicit Indian made foreign liquor from the Hero
motorcycle of the petitioner bearing Registration No.BR-33AG-
1306.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. He further submits that the petitioner had already sold his
motorcycle on 22.08.2020 to his co-villager, namely, Raj Kumar
Paswan and in this regard he has annexed the copy of sale letter
alongwith required affidavit as Annexure P/2 to this application.
Learned counsel submits that petitioner is residing in Punjab
and he had no knowledge about the misuse of his motorcycle by



the co-accused. He further submits that petitioner was not present on the spot and no incriminating article has been recovered from his conscious possession. He further submits that petitioner has no concern with the alleged seized liquor. Learned counsel submits that petitioner has got clean 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 Court concerned in connection with Bibhutipur P.S. Case No.382 of 2021, 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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