

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60450 of 2025

Arising Out of PS. Case No.-306 Year-2025 Thana- SUGAULI District- East Champaran

Dinanath Kumar S/O Ramprit Ram R/O Village- Patjilwa, P.S-Chiraiya,
District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

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 Sugauli P.S. Case No. 306 of 2025 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, 30 litre country made liquor was recovered from motorcycle in question and one person is said to have fled away from the spot.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Learned counsel further submits that petitioner is not named in the FIR and during course of investigation name of petitioner



has been surfaced in this case as owner of motorcycle in question. Petitioner bears no criminal antecedent. He further submits that motorcycle of the petitioner was stolen from Sugauli market and someone has misused the said motorcycle in carrying the illicit liquor and hence, petitioner cannot be held responsible for the alleged recovery. No incriminating article has been recovered from possession of the petitioner. Petitioner has no concern with the seized liquor. In the light of aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provision of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of the 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, Excise



Court No. 1, East Champaran at Motihari in connection with
Sugauli P.S. Case No. 306 of 2025, subject to the conditions as
laid down under Section 482(2) of B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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