

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64057 of 2025

Arising Out of PS. Case No.-343 Year-2021 Thana- MANSI District- Khagaria

Shivam kumar S/O Bindeshwari Prasad Singh @ Bindeshwari Singh R/O
Village- Shripur, P.S- Naugachhiya, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha

For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 24-09-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Mansi P.S. Case No. 343 of 2021 for the offence under Sections Sections 30(a) of the Bihar Prohibition and Excise Amendment Act lodged on 30.12.2021 by the informant, Sheo Kumar Yadav.

3. As per the prosecution story, the Police intercepted one Scorpio vehicle. This led to the FIR.

4. Learned counsel for the petitioner submits that he is neither the driver nor the owner of the vehicle and had no knowledge of the lodging of the F.I.R. in the year 2021. As such, the delay.

5. Learned APP has taken this Court to the order of the learned Sessions Judge to show that the *alibi* of no knowledge has to be rejected inasmuch as on 01.07.2024, his



anticipatory bail application was rejected and he sat upon the matter for one year and only in the month of September, 2025, the present case. Further, the police has found the case to be true against the petitioner.

6. Taking into account the aforesaid facts and also the delay in coming to the Court, this is not inclined to grant him anticipatory bail. It is, accordingly, rejected.

7. If, however, the petitioner approaches the Court below and surrenders within four weeks, the Court concerned shall take up the matter and dispose it on the same day without being prejudice by any observation made by this Court.

(Rajiv Roy, J)

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