

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60959 of 2025

Arising Out of PS. Case No.-55 Year-2025 Thana- Manikpur P.S District- Arwal

Rahul Kumar S/O Pintu Yadav R/O Village- Bake Bigha, P.S.- Shakurabad,
Dist. - Jehanabad, the owner of Honda SP 125 Motorcycle Reg, No. BR25F
7717 Chesis No. ME4JC839CNG003664 Engine No. JC83EG3053219

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Umesh Kumar, Adv Mr. Subhankar Raj, Adv Mr. Sristy Patel, Adv Mr. Abhishek Anand, Adv
For the Opposite Party/s :		Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 10-09-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Manikpur P.S. Case No. 55 of 2025 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per prosecution case, 35 litre mahua liquor in seven white colour plastic bags of five litre each was recovered from the place of occurrence along with one motorcycle. FIR has been lodged against two unknown persons and owner of the motorcycle in question

4. Learned counsel for the petitioner submits that



petitioner is not named in the FIR and his name has been transpired in the present case as owner of the motorcycle in question. Learned counsel further submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner bears no criminal antecedent. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel has stated in para 8 of the bail petition that petitioner has given his motorcycle to his friend as his friend had told him that he has to go to his sister's matrimonial house and during the course of travelling, petitioner's motorcycle has been misused. Seizure list has not been prepared as per law. Apart from that, petitioner bears no criminal antecedent. In the light of aforesaid facts and circumstances, no offence is made out against the petitioner.

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 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 Excise Court No. II, Jehanabad in connection with Manikpur P.S. Case No. 55 of 2025, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

(Alok Kumar Pandey, J)

vashudha/-

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