

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63126 of 2025

Arising Out of PS. Case No.-104 Year-2025 Thana- MAINATAND District- West Champaran

Rashul Mian S/O Idrish Mian R/o - Chailabhar, P.S. - Majhauriya, District -
West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gauri Shankar Thakur, Advocate

For the Opposite Party/s : Mr.Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 24-09-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Mainatand P.S. Case no. 104 of 2025, registered under sections 274 and 275 of the Bhartiya Nyaya Sanhita, 2023 and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, seeing the police personnel, it is stated that one accused abandoned his motorcycle and managed to escape. On search 30.06 litres of illicit liquor was recovered.

4. Learned counsel for the petitioner submits that neither the petitioner was arrested at the spot nor any incriminating article recovered from his possession. The cause of false implication of the petitioner is that he happens to be the registered owner of the vehicle. The petitioner has no concern



with the seized liquor nor any liquor was seized from his motorcycle. The petitioner has no criminal antecedent.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the F.I.R, no incriminating article having been recovered from the petitioner’s possession, his not having been arrested at the spot and the petitioner not having any criminal antecedent, it is directed that the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Mainatand P.S. Case no. 104 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court-II, Bettiah, West Champaran.

(Partha Sarthy, J)

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