

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62981 of 2025

Arising Out of PS. Case No.-76 Year-2025 Thana- DIGHWARA District- Saran

Badri Narayan Sah Son of Late Dinanath Sah Resident of Village-Kanakpur,
Police Station-Dighwara, District-Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Akshay Tripathi, Advocate
		Mr. Shashi Bhushan, Advocate
For the Opposite Party/s :		Mr. Parmanand Kumar, 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 Dighwara P.S. Case no.76 of 2025, registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, 4.32 litres of IMFL was recovered from the motorcycle in question and four accused were taken into custody. It is further stated that 8.4 litres of IMFL was recovered from behind the house of one of the accused.

4. Learned counsel for the petitioner submits that the petitioner was neither 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 from which the alleged seizure is



said to have taken place. The petitioner has no criminal antecedent and undertakes to cooperate in the investigation/trial.

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 allegations in the F.I.R., the petitioner not having been arrested at the spot, no incriminating article having been recovered from the petitioner's possession, the petitioner having been implicated in the case only for the reason of his being the registered owner of the vehicle in question and especially 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 Dighwara P.S. Case no.76 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 Additional Sessions Judge – cum – Exclusive Special Court Excise Act-I, Saran at Chapra.

(Partha Sarthy, J)

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