

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68873 of 2025

Arising Out of PS. Case No.-111 Year-2025 Thana- BUXAR INDUSTRIAL District- Buxar

Monu Singh @ Chunu Singh S/O Ramashankar Singh R/O Vill.- Majhariya,
P.S.- Buxar (Industrial), Dist.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 08-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Buxar (Industrial) P.S. Case No. 111 of 2025 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, 24.390 litre illicit liquor was recovered from Honda Hornet Motorcycle in question and local people disclosed the name of petitioner who fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that from perusal of the F.I.R., it is not clear as to who has divulged the name of petitioner and hence the authenticity of the F.I.R. is doubtful. He further submits that petitioner is not the owner of



the motorcycle in question, as mentioned in Para 7 of the instant petition. Petitioner has nothing to do with the alleged recovery. He was not found at the place of occurrence. Petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. No incriminating article has been recovered from the conscious possession of the petitioner. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act. Petitioner bears criminal antecedent of two cases and he has orally submitted that petitioner is on bail on the said cases.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner by submitting that 24.390 litre illicit liquor was recovered from Honda Hornet Motorcycle in question and the name of the petitioner finds place in the FIR and, hence, he cannot escape from the allegation made in FIR.

6. Considering the facts and circumstances of the case, petitioner is not owner of the said motorcycle in question, 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. I, Buxar in connection with Buxar (Industrial) P.S. Case No. 111 of 2025, subject to the conditions as laid down under Section 482 (2)of BNSS.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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