

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66530 of 2025

Arising Out of PS. Case No.-767 Year-2024 Thana- Excise P.S. District- Siwan

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Bhawani Ray @ Bhabani Ray W/O Debabrata Panda Resident of Village -A-4
607, Signature Solera, Near - M3M Woodshire Sector - 107, VTC -
Dharampur (59), Post - Daultabad, P.S. - Sector - 10, District - Gurgaon
(Haryana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr. Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 08-10-2025 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail,
arises out of Siwan Excise Police Station Case No. 767 of 2024,
disclosing offences under Sections 30(a), 32(3) of the Bihar
Prohibition and Excise Act, 2016.
3. As per the prosecution case, on 30.11.2024,
police received secret information about liquor being
transported in a Tata Punch car (Reg. No. BR06DP7404) via
Mairwa Border. The car was stopped at around 11:25 a.m., and
the driver and assistant driver, Akash and Pawan, were found in
the vehicle. On search, total 313.155 liters of IMFL was
recovered from the car's dickey and under the seat. The liquor



and vehicle were seized, and the two drivers were arrested.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case due to ulterior motives. Petitioner's name does not appear in the FIR and has been included solely because she is the registered owner of the Tata Punch car (Reg. No. BR06DP7404) from which 313.155 liters of IMFL were recovered. No incriminating material has been recovered from the conscious possession of the petitioner, nor is there any evidence of her presence at the place of occurrence. Petitioner had no knowledge of the alleged transportation of liquor. From perusal of the FIR, it is evident that no witness identified the petitioner at the scene, and the recovery was not from her possession. Petitioner is having no criminal antecedent.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having no criminal antecedent and petitioner has been made accused on the ground that she is the registered owner of the vehicle which was a commercial vehicle, being plied on hire basis, driven by a driver at the time of recovery, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.



7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Court No. II, Siwan, in connection with Siwan Excise Police Station Case No. 767 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

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