

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65786 of 2025

Arising Out of PS. Case No.-102 Year-2025 Thana- BIKRAM District- Patna

Ujjwal Prakash Sharma S/o Sri Om Prakash Sharma Resident of village-
Amhara, P.s.- IIT Amhara, Distt.- Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nishikant, Adv.

For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner is apprehending arrest in connection
with Bikram P.S. Case No. 102 of 2025 registered for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. As per prosecution case, there is alleged
recovery of 9 liters illicit foreign liquor from Alto Car bearing
Reg. No. BR01PH-8232.

4. Learned counsel for the petitioner submits that
petitioner is not named in the first information report and his
name has surfaced during course of investigation as the owner
of the Alto Car in question. It is submitted that petitioner has
already sold the vehicle in question to co-accused Roshan
Kumar prior to lodging of the present F.I.R., as is evident from
the Agreement dated 05.02.2024 contained in Annexure- P/2.



No incriminating article has been recovered from possession of the petitioner. Petitioner bears no criminal antecedent. 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.

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 arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Special Excise Judge, Danapur in connection with Bikram P.S. Case No. 102 of 2025, subject to the conditions as laid down under section 482(2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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