

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69341 of 2025

Arising Out of PS. Case No.-49 Year-2025 Thana- MADHEPUR District- Madhubani

Kapileshwar Thakur @ Kapleshwar Thakur S/o Khushi Lal Thakur, R/o
Village- Kachhua Madhubani, P.S.- Lakhnour, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saket Tiwary, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 13-10-2025 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner apprehends arrest in a case registered
under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, there is recovery of 85 litre
country made liquor kept in jute sack from the Hero Passion Pro
motorcycle which belongs to the petitioner. It is alleged that co-
accused Mohd. Qadir who was driving the motorcycle was
apprehended on the spot.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case due to being the registered owner of the seized motorcycle.
He further submits that the seized motorcycle was borrowed by
the co-accused and he had no knowledge about the misuse of his
motorcycle by the co-accused. Learned counsel submits that the



petitioner was not present on the spot and no incriminating article has been recovered from his conscious possession. He further submits that except the fact that petitioner is owner of the seized motorcycle, there is no material against him and he has no concern with the alleged seized liquor. Learned counsel submits that petitioner has got clean antecedent and he undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the concerned Court within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court concerned, Jhanjharpur in connection with Madhepur P.S. Case No.49 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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