

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67848 of 2025

Arising Out of PS. Case No.-194 Year-2025 Thana- Excise P.S. District- Kishanganj

Biru Pahan S/o Joy Krishta Pahan R/o Village- Vidhan Nagar, Rupramganj,
PS- Vidhan Nagar, District- Dargiling, W.B

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Lalita Kumari, Advocate
For the Opposite Party/s	:	Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 07-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in a case instituted under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there is recovery of 375 ml. of illicit liquor from the two co-accused persons namely, Sona Pahan and Manik Pahan who were riding on the motorcycle of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this being the registered owner of the seized motorcycle. The said motorcycle was taken by two co-accused persons and the petitioner was cousin brother of the co-accused persons. Petitioner has no



knowledge about the misuse of the seized vehicle. Nothing has been recovered from conscious possession of the petitioner. Petitioner has no concern with the seized illicit liquor. Petitioner has no criminal antecedent. Petitioner undertakes to cooperate in the investigation and the trial.

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

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner 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, Excise-II, Kishanganj/learned Court concerned, in connection with Madhy Nishedh P.S. Case No. 194 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S. 2023.

(Sunil Dutta Mishra, J)

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