

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69422 of 2025

Arising Out of PS. Case No.-167 Year-2025 Thana- JURAWANPUR District- Vaishali

Pappu Ray S/o Uma Shankar Ray R/o Vill- Bishnpur Said Ali Bhatan Tola,
P.S.- Bidupur, Dist- Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Aniket Singh, Adv.
For the State : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 13-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Jurawanpur P.S. Case No. 167 of 2025 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2022.

3. As per prosecution case, 20 litre illicit country made liquor was recovered from the motorcycle in question and two persons managed to escape from the spot.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case due to dirty village politics. Learned counsel further submits that petitioner is not named in the FIR and during course of



investigation, his name has been surfaced as owner of the motorcycle in question. He further submits that petitioner had parked the said motorcycle near his house but some miscreants in order to save themselves from police left the illicit liquor near the petitioner's vehicle and fled away but due to highhandedness of police, alleged recovery has been shown from the motorcycle in question. Petitioner bears no criminal antecedent. No incriminating article has been recovered from conscious possession of the petitioner. Petitioner was not found at the place of occurrence. Petitioner has no concern with the seized liquor. In the light of aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provision of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that petitioner is owner of the motorcycle in question from which 20 litre illicit country made liquor was recovered and hence, petitioner cannot escape from the allegation of said recovery.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of the 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 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 Exclusive Special Excise Court No. -2-cum Additional District and Sessions Judge, Vaishali at Hajipur in connection with Jurawanpur P.S. Case No. 167 of 2025, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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