

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70957 of 2025

Arising Out of PS. Case No.-68 Year-2024 Thana- MAHUAWA District- East Champaran

Priyanshu Kumar Son of Hari Kishore Prasad Resident of Village - Bhelwa,
P.S.- Chhauradano, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Ms.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 15-10-2025 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 Mahuawa Police Station Case No. 68 of 2024, dated 28.12.2024, disclosing offence under Section 317 (2) of the Bhartiya Nyaya Sanhita, 2023 and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police, during vehicle check, saw two persons coming on two motorcycles, signalled the riders of the said motorcycles to stop, but the riders fled away, leaving behind the two motorcycles. On search, the police recovered 45.06 litres and 43.5 litres of Nepali liquor from the said motorcycles.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case merely because he happens to be the registered owner of one of the motorcycles, in question, bearing registration no. BR 05BK/1870. He further submits that the friend of the petitioner had borrowed his motorcycle for some work and the petitioner had no knowledge about the illicit liquor being transported on his motorcycle. He further submits that the petitioner has no concern with the seized illicit liquor and he has got no criminal antecedent.
5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that the petitioner has got no criminal antecedent and he has been made accused on the basis of being the registered owner of the motorcycle, which was borrowed by his friend, 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 Excise Court No. II, East Champaran, at Motihari, in connection with Mahuawa Police Station Case No. 68 of 2024, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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