

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79526 of 2025

Arising Out of PS. Case No.-233 Year-2022 Thana- CHANDI District- Bhojpur

Babalu Kumar @ Bablu Kumar Son of Deo Kishun Ray @ Dev Kishun Ray
Resident of Village - Hardas Tola, P.S. - Chandi, Dist. - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Manoj Kumar
For the Opposite Party/s	:	Mr.Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-12-2025 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Chandi P.S. Case No. 233 / 2022 dated 08.09.2022 registered under Sections 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the first information report the Police party recovered 40 liters of country made 'mahua' liquor from a motorcycle bearing registration no. BR03U-1592 and from one another motorcycle bearing no registration no. also 40 liters of country made 'mahua liquor' was recovered.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case merely because he happens to be the registered owner of the motorcycle bearing registration no. BR03U-1592. The defence of the petitioner is that his motorcycle was borrowed by his



friend for some urgent work as stated in paragraph no. 9 of the application and the petitioner had no knowledge that his motorcycle was being used for illegal transportation of country made 'mahua' liquor. The petitioner has no criminal antecedent.

5. Regard being had to the submission made by the parties, taking into consideration the fact that illicit country made mahua liquor has not been recovered from the conscious possession of the petitioner, justification / defence given regarding recovery of liquor as well as the fact that the petitioner has no criminal antecedent, accordingly , I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Excise Judge 1, Bhojpur at Ara / concerned court in connection with Chandi P.S. Case No. 233 / 2022 subject to the condition as laid down under Section 482 (2) of the B.N.S.S. 2023.

(Anil Kumar Sinha, J)

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