

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82692 of 2025

Arising Out of PS. Case No.-117 Year-2025 Thana- Refinery District- Begusarai

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Aman Kumar S/o- Chandan Poddar R/v- Tilrath Ps- Barauni Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Akash Kumar Mishra

For the Opposite Party/s : Mr.Abhay Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 10-12-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Refinery P.S. Case No. 117 of 2025, F.I.R dated 27.10.2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, a written report by PSI Parmanand Mandal of the Refinery Police Station, on 27.10.2025 at around 10:35 a.m., he and other police personnel were on night patrol when they noticed two individuals on a Hero Splendor motorcycle carrying a sack heading toward Harpur village. When signaled to stop, the riders abandoned the motorcycle and fled. Upon searching the motorcycle (Reg. No.



BR-09AV-3867), police recovered 14 litres of foreign liquor. An FIR was then registered against the motorcycle's driver and owner.

4. Learned counsel for the petitioner submits that seized recovery of illicit liquor to the tune of 14 litres of foreign liquor is stated to have been recovered from Hero Splendor motorcycle bearing Registration No. BR-09AV-3867 which belongs to this petitioner. It has next been submitted that the seized foreign liquor was not recovered from the motorcycle rather it was lying in a bag near motorcycle, which is said to have been recovered and the petitioner is no way connected with the said materials, and this petitioner has clean antecedent.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the constructive possession and / or premises belonging to the petitioner and considering the aforesaid fact recovery is not from the motorcycle of which the petitioner is said to be the owner, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

7. 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/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-I, Begusarai in connection with Refinery P.S. Case No. 117 of 2025, dated 27.10.2025 subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

(Ajit Kumar, J)

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