

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89568 of 2024

Arising Out of PS. Case No.-345 Year-2023 Thana- SAHPUR District- Bhojpur

Ram Lagan Tiwary S/o- Tarkeshwar Tiwary Village- Babhanauli Ps- Ara
Muffasil Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarendra Kumar, Adv.

For the Opposite Party/s : Mrs.Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 10-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Shahpur (Bahoranpur O.P.) PS Case No. 345 of 2023 dated
30-07-2023 instituted for the offence punishable under Section
30(a) of the Bihar Prohibition and Excise Act, 2018.

3. The allegation is of recovery of 19.800 litres illicit
foreign liquor from the two motorcycles.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has been falsely implicated in this
case. It is submitted that nothing has been recovered from
conscious or physical possession of the petitioner rather 55
pieces of fruity packs containing 180 ML foreign liquor has
been recovered from the motorcycle bearing registration No.
BR-03U-4193. The said vehicle registered in the name of the



petitioner. Learned counsel for the petitioner submitted that petitioner sold his motorcycle to one Sunita Devi W/o Tuntun Prasad of Bindtoli, Ara P.S. Ara Town, Dist. Bhojpur on 21-03-2022 on an stamp paper for a consideration amount of Rs. 25,000/-, but, due to lack of knowledge, the ownership of the said vehicle has not been transferred. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered 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 upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge-II, Bhojpur, Ara, in Shahpur (Bahoranpur O.P.) PS Case No. 345 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

shyambihari/-

U			
---	--	--	--

