

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84605 of 2025

Arising Out of PS. Case No.-730 Year-2024 Thana- Excise P.S. District- Kishanganj

Suraj Kumar Singh S/o Harendra Singh R/o Village - Amaljhari, P.S -
Thakurganj, District - Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Lakshmi Kant Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-12-2025 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 Madhya Nisedh Police Station Case No. 730 of 2024, disclosing offences under Sections 30(a) and 32(3) of Bihar Prohibition and Excise Act.

3. The prosecution case, as per the First Information Report, is that on 14.06.2024, around 06:40 p:m, at Dhubni Hat, informant saw a motorcycle bearing Registration No. BR37T-9301, signaled it to stop, the occupants provided an unsatisfactory reply when questioned. In the presence of official witnesses, the motorcycle was searched and 01.000 litre of illicit liquor was recovered. The petitioner is the registered



owner of the seized vehicle in which the illicit liquor was recovered.

4. Learned Counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case due to ulterior motive. The name of the petitioner has come only on the basis of registered owner of the seized motorcycle bearing Registration No. BR37T-9301. Learned counsel next submits that one Raj Kumar Singh had borrowed the motorcycle for treatment of his family members. Petitioner had no knowledge about the alleged recovery of illicit liquor. Learned counsel lastly submits that recovery has not made from the conscious possession of the petitioner and petitioner is having no criminal antecedent.

5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having no criminal antecedent and the liquor has not been recovered from the conscious possession of the petitioner, 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 Judge-Excise II, Kishanganj, in connection with Madhya Nisedh Police Station Case No. 730 of 2024, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita.

(Anil Kumar Sinha, J)

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