

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3685 of 2025

Arising Out of PS. Case No.-479 Year-2024 Thana- Excise P.S. District- Aurangabad

Sanjeet Kumar Rabi S/o Satya Narayan Ram R/o Village- Parta Bigha, PS-
Amba, District- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhuresh Singh
For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 06-03-2025 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 Excise Police Station Case No. 479 of 2024, dated 20.05.2024, disclosing offence under Sections 30(a)/32 (3) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police, on secret information that a black motorcycle, having registration no. BR 26Q/8361 was coming with illicit liquor from Hariharganj to Pirajmore, reached at the place of occurrence and saw two persons coming on a motorcycle carrying plastic bags and on seeing the police, the said two persons tried to flee away,



but they were apprehended by the police. On search, the police recovered 20 litres of illicit country-made liquor from the motorcycle kept in plastic bags.

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 the motorcycle in question. He further submits that the brother of the petitioner, namely, co-accused Amarjeet Kumar, had borrowed his motorcycle and he 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 brother, co-accused Amarjeet Kumar, who was arrested at the spot, 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, Aurangabad, in connection with Excise Police Station Case No. 479 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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