

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2636 of 2025

Arising Out of PS. Case No.-700 Year-2024 Thana- BIDUPUR District- Vaishali

Shivpujan Kumar S/O Kamleshwar Singh R/O Village- Daudnagar, Motalook
Damaipatti, P.S.- Bidupur, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr.Akbar Ali, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 01-05-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Bidupur P.S. Case no.700 of 2024 registered under section
30(a) of the Bihar Prohibition and Excise Amendment Act, 2022
and sections 274 and 275 of the B.N.S, Act, 2023.

3. As per the prosecution case, the informant states
that on seeing police personnel the accused left the truck bearing
Registration No. UP70DT7272 and managed to escape. On
search, a total of 690 liters of country made liquor is said to
have been recovered from the said truck.

4. Learned counsel for the petitioner submits that
F.I.R is registered against unknown. The petitioner has been
falsely implicated in the case only for the reason that he happens



to be the registered owner of the said vehicle. However, learned counsel for the petitioner further stated in paragraph no. 8 to the petition that the truck was being driven by his driver and he was not aware that the vehicle was put to any illegal use. No recovery has been made from physical or conscious possession of the petitioner. Learned counsel for the petitioner further submits that no independent witness is there on the seizure list further indicating violation of mandatory provisions of the B.N.S.S. The petitioner has no criminal antecedent and undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. At this stage, the petitioner is agreed to deposit a sum of Rs. 10,000/- in Mahavir Cancer Sansthan, Patna, bearing Account No. 3332964762, IFSC Code: CBIN0282779, Central Bank of India, Chitkohra Branch, Patna.

7. In view of the aforesaid facts of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Bidupur P.S. Case no.700 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 1-cum-Additional District and Sessions Judge, Vaishali at Hajipur, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to the further condition that he shall co-operate in the investigation/trial.

8. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Mahavir Cancer Sansthan, Patna.

(Soni Shrivastava, J)

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