

Arising Out of PS. Case No.-133 Year-2025 Thana- AMBA District- Aurangabad

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... .. Petitioner/s

Versus

... .. Opposite Party/s

For the Petitioner/s : Ms. Shalini, Adv.
Mr. Santosh Kumar, Adv.
Mr. Shubhendu Shekhar, Adv.
Mr. Md. Khalid Quraishi, Adv.
For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 17-02-2026 Heard the parties.

2. The petitioner apprehends his arrest in connection with Amba P.S. Case No. 133 of 2025 dated 29.08.2025 registered for the offence punishable under section 30(a) of the Bihar Prohibition & Excise Act, 2016 (in short 'Excise Act').

3. The main submissions advanced by petitioner's counsel are that as per the prosecution story, three motorcycles were suspected to be involved in trafficking of illicit liquor and they were stopped by the police and all the persons riding on those motorcycles were apprehended and from the possession of apprehended Ritesh Kumar, who was riding on a black Pulsor



motorcycle, from the possession of Sonu Kumar, who was riding on a Bullet and from the possession of Ajit Kumar, who was riding on a Hero Ignitor motorcycle, the alleged liquor was recovered. It is further submitted that the petitioner has been made accused in the present matter mainly on account of he being the registered owner of one of the seized motorcycles, no doubt the same belongs to the petitioner but the alleged trafficking of liquor was made without his knowledge and he bears no criminal antecedent and his past history is completely clean, hence, the alleged offences punishable under the Excise Act, under which the FIR has been registered, do not attract even *prima facie* against this petitioner, so, his prayer for anticipatory bail is not hit by the provisions of section 76(2) of the Excise Act.

4. Though learned APP appearing for the State has opposed the prayer of the petitioner but fairly accepts that the petitioner has been made accused in the present matter mainly on account of he being the registered owner of one of the seized motorcycles.

5. In the facts and circumstances of this case as well as considering the submissions as stated above, coupled with the pleas of the petitioner, this Court is inclined to grant the relief of



anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Amba P.S. Case No. 133 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Shailendra Singh, J)

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