

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7455 of 2026

Arising Out of PS. Case No.-284 Year-2018 Thana- BALIYA District- Begusarai

Surendra Kumar @ Surender Kumar son of sita Ram Resident of village-
Khabra Kalan, Ps- Bhattu Kalan, Dist- Fatehabad, Hariyana

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhanshu Shekhar, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-02-2026 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 Ballia Police Station Case No. 284 of 2018, disclosing offences under Sections 30(a) 32 and 41(1) of Bihar Prohibition and Excise (Amendment) Act, 2016.

3. The prosecution case, as per the First Information Report, is that on 07.10.2018 in the morning the informant proceeded for patrolling and during course of that got a secret information that one Chandan Singh, Rohit, Bhola Mahto and Chhotu Singh have brought a truck of liquor and they have come in a Bolero and the liquor would be unloaded at Chimney Bhatta ahead of Mohanpur Dhab. The police arrived at the place of occurrence and saw the vehicles parked there. The Truck bearing Registration No. UP-14-AT-7919 was searched and



seized total 3030.48 litres of IMFL from the truck, 54 litres from the Bolero and 23.640 litres from a motorcycle

4. Learned counsel for the petitioner submits that petitioner is not named in the FIR and his name has surfaced during the course of investigation. The IO of this case got information from Transport Department that owner of the truck in question is one Dinesh Kumar Gupta and when the police called the owner, Mr. Dinesh Kumar Gupta, on his mobile phone, he told the police that the truck belong to him but some days before, he sold the said truck to petitioner on OLX. Learned counsel next submits that no document has come during course of investigation, showing transfer of truck in question, in favour of the petitioner. It has further been submitted that the petitioner is neither owner of the truck nor its driver.

5. Regards being had to the submissions made by the parties and taking into consideration the fact that petitioner is not named in the FIR and his name transpired during the course of investigation on the basis of information given by registered owner of the truck in question and the petitioner denied that he is not the owner of truck, 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. 25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge-II, Begusarai, in connection with Ballia Police Station Case No. 284 of 2018, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita,

8. It is further directed that one of the bailors shall be the family member of the petitioner.

(Anil Kumar Sinha, J)

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