

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7842 of 2026

Arising Out of PS. Case No.-117 Year-2025 Thana- SAHARGHAT District- Madhubani

Gauri Kumar Son of Chauthi Mahto Resident of Village- Harlakhi, ward no.
10, P.S.- Harlakhi, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah

Ms.Archna Aanand

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 17-02-2026 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 Saharghat Police Station Case No. 117 of 2025, dated 29.08.2025, disclosing offence under Sections 274/275 of the Bhartiya Nyaya Sanhita, 2023 and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police, during vehicle check, intercepted two motorcycles and on seeing the police, the riders tried to flee away, however on chase by the police, the riders fled away leaving the motorcycles. On search of the motorcycle, the police recovered 135 litres of illicit



Nepali liquor from the said motorcycles.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case because he happens to be the registered owner of one of the motorcycles in question. He further submits that one of the friends of the petitioner had borrowed the motorcycle of the petitioner for his personal use and he was not aware about the fact that illicit liquor was being carried on his motorcycle. He further submits that the petitioner 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 been implicated in this case merely because he happens to be the registered owner of one of the motorcycles in question, which was borrowed by his friend for his personal work and he has got no criminal antecedent, 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, Madhubani, in connection with Saharghat Police Station Case No. 117 of 2025, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	√	T	√
---	---	---	---

