

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.8540 of 2022**

Arising Out of PS. Case No.-449 Year-2021 Thana- KOTWALI District- Patna

SHARIB ALI, S/o Late Syed Talib Ali Naqvi, Resident of Village- Sashi  
Imambara, Diwan Mohalla, Nauzar Katra, P.S.- Patnacity, Distt- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr. Dr. Anjani Pd. Singh, Advocate  
For the Opposite Party : Mr. Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

2      25-03-2022                      Heard learned counsel for the parties.

Learned counsel for the petitioner is permitted to  
remove defect(s), as pointed out by the office, if any, within a  
period of four weeks from today.

This application for anticipatory bail arises out of  
Kotwali P.S. Case No. 449 of 2021 for the offence punishable  
under Sections 30(a), 30(d), 32(2), 41(1) and 56 of the Bihar  
Prohibition & Excise Act.

The petitioner is the manager of the hotel and he  
cannot be saddled with criminal conspiracy if some liquor is  
seized in a room from the customer.

Considering the aforesaid facts, this application is  
allowed.

Let the petitioner, above named, in the event of his



arrest/surrender within four weeks from today in the Court below, 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 the learned Special Judge, Excise, Patna, in connection with Kotwali P.S. Case No. 449 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sandeep Kumar, J)

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