

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.41574 of 2024**

Arising Out of PS. Case No.-420 Year-2020 Thana- MUZAFFARPUR SADAR District-  
Muzaffarpur

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Firoz Ahmad S/O ABDUL GANI R/O VILLAGE-Naureya,120C, kheda  
udyog Nagar, P.S.- GOVIND NAGAR, DIST- KANPUR(UP)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vinay Kumar Mishra  
For the Opposite Party/s : Mr. Dr. Indihar Kumari

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

- 2      09-08-2024                      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 Muzaffarpur Sadar Police Station Case No. 420 of  
2020, disclosing offences under Sections 30(a) of the Bihar  
Prohibition and Excise Act, 2022.
3. As per the First Information Report, the police got  
the secret information that consignment of liquor was being  
unloaded from a truck bearing Registration No. UP79CN4272  
near the Indian Oil Depot at village Saidpur. On this  
information, the police reached near the place of occurrence and  
upon seeing the police party, the persons engaged in unloading,  
fled away. The villagers identified the persons who fled away



from the place of occurrence. Upon search, the police recovered 2527.560 liter of illicit liquor from the truck.

4. Learned Counsel for the petitioner submits that the petitioner has been made accused on the basis of the fact that he happens to be the owner of the truck in question. The truck was handed over by the petitioner to the transporter namely Bhim Singh, Kanpur, on monthly rent and he was not aware about the truck being used for carrying illicit liquor. The petitioner is having no criminal antecedent and has no concern with the foreign liquor recovered from his truck.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner has been made accused on the basis that he is the owner of the truck which was being plied by the petitioner through a transporter on a hire basis, 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 Court Excise-1,



Muzaffarpur, in connection with Muzaffarpur Sadar Police Station Case No. 420 of 2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

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