

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78065 of 2024

Arising Out of PS. Case No.-98 Year-2024 Thana- RAMPUR HARI District- Muzaffarpur

Sarwar Qais Mohammed Khan Son of Late Azhar Qais Mohammed Khan
R/O Mohalla - Nauzar Katra, Mahaveer Ghat, P.S. Gulzar Bag, District –
Patna Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Jha, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 28-11-2024 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Rampur Hari PS case no. 98 of 2024, disclosing
offences punishable under Section 30(a) of Bihar Prohibition
and Excise Act.
3. The prosecution story, as per the First Information
Report, is that 133.35 liters of illicit liquor was recovered from
Maruti Suzuki Zen Estilo car and petitioner is the owner of the
said car.
4. Learned Counsel for the petitioner submits that
petitioner is having no criminal antecedent and he has been
made accused as he happens to be the registered owner of the
Maruti car in question, however the said car was sold in favour
of Md. Arman in the 2021 but the purchaser has not transferred



the car in his name from the District Transport Office. Learned counsel further submits that at the time of occurrence, the car was being driven by the driver, who was apprehended by the police.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that the Maruti car was not being driven by the petitioner at the time of occurrence and he has been made accused on the basis of being the owner of the car, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six 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 Judge-II, Muzaffarpur in connection with Rampur Hari PS case no. 98 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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