

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81315 of 2024

Arising Out of PS. Case No.-144 Year-2024 Thana- KHAJAULI District- Madhubani

Md. Sajid Anwar Son of Md. Seraj Anwar Resident of Village- Belal Masjid,
Juran Chapra, M.I.T.S.O., P.S.- Muzaffarpur, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 11-12-2024 1. Heard learned Counsel for the petitioner and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Khajauli PS case no. 144 of 2024, disclosing offences punishable under Sections 30(a), 41 of Bihar Prohibition and Excise (Amendment) Act, 2022.
3. The prosecution story, as per the First Information report, is that on 07.07.2024 at about 20.40 pm, upon secret information that one pick-up vehicle loaded with illicit liquor was coming from Jaynagar and going to Sukki Syfian, the informant went to the place of occurrence and started checking. The informant gave signal to stop the said pick-up van and upon search, 79.920 liters of illicit liquor has



been recovered and seized.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to village politics. Learned counsel further submits that though the petitioner has been implicated in this case due to the fact that he is the registered owner of the said pick-up van but the same was stolen on 10.05.2024, for which, an F.I.R. bearing Kudhani PS Case No. 123 of 2024 has been lodged on 14.05.2024, however the present occurrence has taken place on 07.07.2024.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that illicit liquor was recovered from pick-up van which was stolen prior to date of seizure, 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 Additional Sessions Judge II-cum-Special Judge, Excise Act, Madhubani in connection with



Khajauli PS case no. 144 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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