

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.85352 of 2024**

Arising Out of PS. Case No.-68 Year-2024 Thana- EXCISE PATORI District- Samastipur

Md. Alam Khan @ Alam Khan S/O Usman Khan R/O Village- Gospur, P.S-  
Dalasingsarai, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                 |
|--------------------------|---|---------------------------------|
| For the Petitioner/s     | : | Mr. Surya Narayan Roy, Advocate |
|                          |   | Mr. Ashok Kumar Singh, Advocate |
| For the Opposite Party/s | : | Ms. Sharda Kumari, APP          |

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

- 216-12-2024
1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Excise Patori P.S. Case no. 68 of 2024 registered under section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, 3.6 litres of liquor was recovered from the motorcycle in question near the house of one Mantosh Singh.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case because he happens to be the registered owner of the vehicle. No incriminating article has been recovered from his possession. In fact, the petitioner had sold the vehicle to Mantosh Singh and the only error committed by the petitioner was that he did not get



the registration certificate of the vehicle transferred in the name of the purchaser. The petitioner has no criminal antecedent.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R. and the petitioner not having any antecedent under the Bihar Prohibition and Excise Act, 2016, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Excise Patori P.S. Case no. 68 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (Excise)-2, Samastipur.

**(Partha Sarthy, J)**

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