

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2599 of 2025

Arising Out of PS. Case No.-315 Year-2024 Thana- KATEYA District- Gopalganj

Habib Khan S/O Md. Sarif Resident Of B-7/261 Block B/7 Bhalswa, J J
Colony, Libaspur, P.S.- Bhalswa, Dist.- New Delhi- 110042

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Dwivedi, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 24-01-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Kateya P.S. Case No. 315 of 2024 registered for the offences punishable under Sections 317(5), 3(5) of B.N.S. and 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 169.500 litres of foreign liquor was recovered from Hyundai Car bearing Regd. No. DL8CAK-9809.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the



present case. Petitioner has no knowledge and concern with the alleged recovery. Nothing incriminating has been recovered from the possession of the petitioner. It is submitted that the name of the petitioner has transpired as being owner of the seized car in which other co-accused Shekhar Kumar was carrying the illicit liquor without knowledge of the petitioner. The petitioner has no criminal antecedent. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted bail by this Court vide order dated 13.11.2024 passed in Cr. Misc. No. 79373 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the



learned court below where the case is pending/successor
court in connection with Kateya P.S. Case No. 315 of 2024,
subject to the conditions as laid down under Section 482 (2)
of the B.N.S.S.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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