

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2637 of 2025

Arising Out of PS. Case No.-374 Year-2024 Thana- PALASI District- Araria

Sarik Anwar @ Chand @ Md. Chand Md. Mojahid @ Mujahid Alam R/o
Village- Jogjan Bhag (Chahatpur), Ward No. 10, P.S. - Palasi District- Araria
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Jha, Advocate

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

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 01-05-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Palasi P.S. Case no.374 of 2024 registered under section
30(a) of the Bihar Prohibition and Excise Amendment Act,
2018.

3. As per the prosecution case, the informant states
that on seeing police personnel all the accused left their four
wheeler Pickup Van and managed to escape. On search, a total
of 900 liters of nepali liquor is said to have been recovered from
the said van.

4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the case. Petitioner is
neither the owner nor the driver of the seized vehicle. The name
of the petitioner has come only on the basis of suspicion. No



recovery has been made from the physical or conscious possession of the petitioner. Learned counsel for the petitioner further submits that no independent witness is there on the seizure list further indicating violation of mandatory provisions of the B.N.S.S. The petitioner has no criminal antecedent and undertakes to cooperate in the case/trial.

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

6. In view of the aforesaid facts of the case, 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 Palasi P.S. Case no.374 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 Addl. District and Sessions Judge-cum-Exclusive Special Excise Judge-II, Araria, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

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