

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6413 of 2025

Arising Out of PS. Case No.-193 Year-2021 Thana- BAISI District- Purnia

Md. Shamsad @ Shamsad Son of Jainul @ Md. Jainuddin Resident of
village- Bhasiya Chariya, P.S.- Baisi, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 06-05-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Baisi P.S. Case no.193 of 2021 registered under sections
272, 273 and 414 of the Indian Penal Code and sections 30(a),
41 and 47 of the Bihar Prohibition and Excise Amendment Act,
2022.

3. As per the prosecution case, the informant states
that on seeing police personnel the driver of the vehicle tried to
make an escape but was apprehended at the spot who disclosed
his name as Manzoor Anshari. On search, a total of 817.125
liters of foreign liquor is said to have been recovered from the
Bolero Pickup Van bearing Registration No. BR02GA5659.

4. Learned counsel for the petitioner submits the



petitioner has been falsely implicated in the case. The name of the petitioner has transpired on the confessional statement of the apprehended Manzoor Ansari made before police. Neither he is the owner of the said vehicle nor he is concerned with the alleged liquor as no recovery has been made from physical or conscious possession of the petitioner. Learned counsel for the petitioner further submits that accused Manjur Ansari, who was apprehended at the spot, has already been granted regular bail by this Court vide order dated 09.02.2022 passed in Cr. Misc. No. 48003 of 2021. The petitioner undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State on the ground that the petitioner has one criminal antecedent. In response, learned counsel for the petitioner submits that he is on bail on the said case.

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 Baisi P.S. Case no.193 of 2021 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



Exclusive Special Judge Excise, Court No. I, Purnea, 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 and subject to the further condition that the learned Court below would however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Soni Shrivastava, J)

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