

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10854 of 2025

Arising Out of PS. Case No.-151 Year-2020 Thana- BAHADURPUR District- Darbhanga

1. Md. Samir @ Md. Shamim @ Md. Samir Alfaz @ Samir Alfaz S/O Md. Akber R/O Vill - Mohalla- Pandasaraï, Bichla Tola, P.S- Laheriasaraï, Dist- Darbhanga, Bihar.
2. Md. Nirale @ Md. Egramul Haque @ Md. Egramuhaq Nirale S/O Md. Idrish @ Idris R/O Vill - Mohalla- Pandasaraï, Bichla Tola, P.S- Laheriasaraï, Dist- Darbhanga, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishal Vikram Rana

For the Opposite Party/s : Mr. Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 28-03-2025 Heard the learned counsel for the petitioners as well as the learned APP for the State.

2. The petitioners apprehend their arrest in connection with Bahadurpur P.S. Case No. 151 of 2020 registered for offences under Sections 30(a), 41(i) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, 138.750 liters of illicit liquor has been recovered.

4. The learned counsel for the petitioner has submitted that the petitioners are innocent and have not committed any offence. He further submits that they have not been caught on the spot. Petitioner No. 1 have three criminal antecedent. Petitioner no. 02 have clean antecedent.



5. Considering the criminal antecedent of petitioner no. 01, I am not inclined to grant anticipatory bail to the petitioner no. 01.

6. Accordingly, this application filed on behalf of petitioner no. 1 is hereby rejected.

7. The petitioner no. 01 is directed to surrender in the court below within a period of four weeks from today and seek regular bail, if so advised.

8. So far as petitioner no. 02 is concerned, he claims clean antecedent and was not caught on the spot. Accordingly, this application filed on behalf of petitioner no. 02 is allowed.

9. Accordingly, let the petitioner no. 02, above-named, in the event of his arrest or surrender within four weeks from today in the Court below, be released on 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 learned Special Judge Excise Act 1st, Darbhanga/concerned court below in connection with Bahadurpur P.S. Case No. 151 of 2020 subject to condition that:-

i). Before accepting the bail-bonds of the petitioner, the Court below will verify the antecedent of the petitioner. If the petitioner is found having clean antecedent, then the bail-bonds of the petitioner shall be accepted. If the petitioner is found having criminal antecedent(s), then his bail-bonds shall not be accepted



by the court below.

(ii). The petitioner no. 02 will mark his attendance at the Laheriasarai Police Station, Darbhanga on every Sunday of each month. Any default in the appearance at the Police Station would result in cancellation of the bail bonds of the petitioner.

10. This application for anticipatory bail is partly allowed.

(Sandeep Kumar, J)

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