

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9944 of 2025**

Arising Out of PS. Case No.-153 Year-2024 Thana- EXCISE ROSERA District- Samastipur

Md. Majahar Nishar S/o- Md. Umar Farukh Resident of Village- Balha  
Vishwanath PS- Khanpur District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Raja Ram Mishra, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

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

ORAL ORDER

2      14-02-2025                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Rosra Excise P.S. Case No. 153 of 2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 51 litres of liquor was recovered from motorcycle.

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 petitioner is the



owner of the motorcycle bearing Registration No. BR-09-K-9346. The petitioner has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted regular bail passed by this Court *vide* order dated 21.01.2025 in Cr. Misc. No. 1504 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) 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 Rosra Excise P.S. Case No. 153 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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