

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12002 of 2025

Arising Out of PS. Case No.-479 Year-2024 Thana- BAHERA District- Darbhanga

Md. Irshad @ Md. Irshad Ali son of Md. Moti Resident of Village -Karhari
Benipur, Police Station- Bahera, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

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

ORAL ORDER

3 04-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Bahera P.S. Case No. 479 of 2024 registered for the offences punishable under 30(a) of the Bihar Prohibition & Excise Act.

3. As per prosecution case, the police has recovered 317.88 liters of illicit foreign liquor from the car.

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. The petitioner was neither apprehended on spot nor anything incriminating has been recovered from his conscious possession.



The name of the petitioner has been disclosed by the arrested co-accused person. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application. The petitioner has no concern with the alleged occurrence or the seized liquor. The petitioner is not the owner of the alleged seized car. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case.

5. Learned counsel for the petitioner further submits that the co-accused Govind Kumar Yadav has been granted regular bail by this Court vide order dated 15.02.2025 passed in Cr. Misc. No. 7664 of 2025.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioner, 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 Bahera
P.S. Case No. 479 of 2024, subject to the conditions as laid
down under Section 482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

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