

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15630 of 2025

Arising Out of PS. Case No.-261 Year-2019 Thana- BAISI District- Purnia

Umar Farooque @ Md. Farooque S/o- Abdur Rahman R/o Village- Daulatpur
Ps- 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. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 21-04-2025 Heard Mr. Ram Prawesh Kumar, learned counsel
for the petitioner and Md. Fahimuddin, learned APP for the
State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Baisi P.S. Case No. 261 of 2019 instituted for the offence under Sections 272 and 273 of the Indian Penal Code and Sections 30(a), 41 and 47 of the Bihar Prohibition and Excise Act, 2016.

3. The case of the prosecution is that altogether 882 litres of country made foreign liquor was recovered from a pickup vehicle. It is further alleged that co-accused Sunil Yadav was apprehended on that pickup. He disclosed that this consignment was booked by one Murshid Alam and was to be



delivered at Khagaria.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Nothing has recovered from the possession of this petitioner. He further submitted that co-accused Murshid Alam has given confessional statement in which he has named certain persons including this petitioner, which is apparent from para-5 of the impugned order. Similarly situated other co-accused person namely Abdul Jalil has already been granted anticipatory bail by this Court vide order dated 25.03.2025 passed in Cr. Misc. No. 7503 of 2025. The case of the petitioner stands on similar footing.

5. Learned APP appearing for the State has opposed the prayer for bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Baisi P.S. Case No. 261 of 2019, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees



ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise No. 1, Purnea, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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