

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15337 of 2025

Arising Out of PS. Case No.-1 Year-2025 Thana- BARACHATTI District- Gaya

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1. Md. Sarfaraz Alam @ Md. Sarfaraj Alam S/O Md. Saheb Alam @ Md. Saheb R/O Vill.- Gajragadh, P.S.- Barachatti, Dist.- Gaya.
 2. Md. Sajid @ Md. Tausir S/O Md. Saheb Alam @ Md. Saheb R/O Vill.- Gajragadh, P.S.- Barachatti, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Kumar Singh, Adv

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

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 02-04-2025 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend their arrest in connection with Barachatty P.S. Case No. 01 of 2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition & Excise Act.

3. From perusal of the first information report as also the seizure list, it would appear that on a secret information, a raid was conducted and total 23.5 liters of Indian made foreign liquor was recovered from the joint house of the petitioners along with other persons.

4. Learned counsel for the petitioners submits that no



recovery was made from the conscious possession of the petitioners and the house from which the recovery is said to have been made is a joint family property. It has further been submitted that there is no independent witness to the seizure list and only with some ulterior motive the name of petitioners have surfaced in the instant case.

5. Considering the facts and circumstances and also considering that the petitioners have clean antecedent, I am inclined to grant privilege of anticipatory bail to the petitioners. Accordingly, in the event of their arrest/ surrender within a period of four weeks from today the petitioners shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-V, Gaya in Barachatty P.S. Case No.01 of 2025, subject to condition as laid down under Section 438(2) of the Cr.P.C and subject to the further condition that the petitioners shall co-operate in investigation/ trial.

(Soni Shrivastava, J)

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