

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16088 of 2025

Arising Out of PS. Case No.-337 Year-2020 Thana- BAISI District- Purnia

SABIR ALAM @ SHABIR ALAM S/O MAHABOOB ALAM R/O House
No. 5/b, Mohalla- Topsia, St. Line, P.O. and P.S.- Tiljola, Dist.- South 24
Parganas, West Bengal- 700039

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajiv Prashant

For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 13-05-2025 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a), 41 and 47 of the Bihar Prohibition and Excise Act, 2016

3. A perusal of the First Information Report and the seizure-list would show that there is a recovery of 855 liters of foreign liquor from a truck bearing registration number WB19K1931 and the driver of the said truck was taken into custody.

4. The learned counsel for the petitioner submits that the name of the petitioner has surfaced in this case only on



account of the fact that he happens to be the owner of the seized truck. It has been submitted that it would appear from the First Information Report that he is neither the sender nor the receiver of the consignment and the specific names of one Sunny and one Manoj Kumar has been taken in that respect. So far as the truck is concerned, it has been stated that the same had been taken by the driver and the petitioner resides at West Bengal and he had no knowledge that the driver had put the truck to illegal use. The petitioner has no criminal antecedent.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the above facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Purnea, in connection with Baisi P.S. Case No.337 of 2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482 (2) of the B.N.S.S., 2023 and subject to the further condition that the petitioner shall co-operate in the investigation/trial.



7. The petitioner is directed to pay an amount of Rs.5000/- in the account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code : PUNB141320, Punjab National Bank, Bar Council Branch, Patna. The receipt of the payment would be submitted at the time of furnishing of bail bonds.

(Soni Shrivastava, J)

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