

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 17847 of 2025

Arising Out of PS. Case No.-784 Year-2020 Thana- ARARIA District- Araria

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Ahtasam @ Md. Ahtasam @ Ahtasan Son of Md. Mojib village- Kamat, Ps-
Jokihat, Dist- Araria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Vijay Kishore Bharti, Advocate
For the State : Mr. Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Araria P.S. Case No. 784 of 2020, dated
23.09.2020 registered for the offences punishable under
Sections 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. As per allegation, 192 liters of codein cough syrup
has been recovered from a Scorpio vehicle bearing registration
no. WB-O2T-4393 which was in a standing condition. However,
as per allegation, the petitioner was driving of the vehicle but he
had fled away. As per further allegation, the driving license of
the petitioner has been found in the vehicle.

4. Learned counsel for the petitioner submits that the
Petitioner is innocent and has falsely been implicated in this



case. He further submits that he has never driven the vehicle in question nor was he any way involved in the alleged offence. He also submits that the petitioner is not aware how his driving license was found in the vehicle.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Concerned Court below, in connection with Araria P.S. Case No. 784 of 2020, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:



(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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