

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23531 of 2025

Arising Out of PS. Case No.-357 Year-2024 Thana- JHAJHA District- Jamui

Md. Illyas @ Md. Illiyas @ Md. Illyas Ansari son of Md. Idrish Resident of
Village -Bhandaridih Po -Chaiadih PS- Pachamba Dist -Giridih Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh, Adv.
For the Opposite Party/s : Mr.Ram Anurag Singh, APP

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

ORAL ORDER

2 11-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Jhajha P.S. Case No. 357 of 2024 registered for the
offences punishable under Sections 30(a) and 32 of the Bihar
Prohibition and Excise (Amendment) Act.

3. As per prosecution case, the police has recovered
total 167.25 liters of illicit liquor from a four wheeler vehicle.

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 is the owner of the vehicle bearing Regd. No.
JH11Q 4644 due to which he has been implicated in the present



case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. 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. 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 Md. Asif has been granted regular bail by this Court vide order dated 26.10.2024 passed in Cr. Misc. No. 77107 of 2024.

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 Jhajha



P.S. Case No. 357 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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