

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23694 of 2025

Arising Out of PS. Case No.-607 Year-2021 Thana- BIHTA District- Patna

Md. Modassir S/o Md. Akhtar Husain R/o Village - Kateshar, P.S - Bihta,
District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 05-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Bihta P.S. Case No. 607 of 2021, registered on 20.08.2021, for the offences punishable under Section 30(a) of the Bihar Prohibition & Excise (Amendment) Act.

3. As per the prosecution, total recovery of 100 litres of illicit desi wine has been made, which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that the petitioner's name has come in this case because the seized motorcycle was registered in his name. Counsel further submits that the FIR was lodged in the year



2021, whereas the petitioner had sold the said motorcycle in 2018 to one Dhananjay Kumar. A copy of the sale deed document, which the petitioner had prepared at the time of selling the motorcycle, is annexed as Annexure-2. Counsel also submits that the criminal antecedent of the petitioner is clean and he is ready to fulfill all the conditions whatsoever shall be imposed by this Hon'ble Court.

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

6. In the present facts and circumstances, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of Special Excise Judge, Danapur, in connection with Bihta P.S. Case No. 607 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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