

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24710 of 2025**

Arising Out of PS. Case No.-370 Year-2024 Thana- TARAIIYA District- Saran

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Khusbuddin @ Khusbudin Alam S/o Nausad Ali Resident of village- Devdhi,  
Dewrhi, Police Station- Taraiya, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Ms. Mili Kumari, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

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

ORAL ORDER

2      24-04-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner apprehends his arrest in connection with Taraiya P.S. Case No. 370 of 2024 instituted for the offences under Sections 126(2), 115, 118(1), 117, 109, 132, 3(5) of the Bharatiya Nyaya Sanhita and Section 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution case, in short, is that, police apprehended two persons including the petitioner but villagers attacked the police party and freed this petitioner. It is further alleged that police seized 10 litres of liquor and a motorcycle.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case.



Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the accused persons including the petitioner. No specific overt act is alleged against the petitioner. Petitioner has got no concern with the alleged recovery. No incriminating article has been recovered from the conscious possession of the petitioner. It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedent. Learned counsel further submitted that regular bail of the co-accused person was by granted by this Court vide order dated 20.02.2025 passed in Cr. Misc. No. 85032 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that allegations against the accused persons including the petitioner are serious in nature. He further submitted that accused persons assaulted the police party due to which they sustained simple injuries.

6. Considering the aforesaid facts and circumstances of the case, nature and gravity of offence, in my view, this is not a fit case for anticipatory bail, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for grant of anticipatory bail to the petitioner is, hereby, rejected.



8. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be disposed of on its own merit without being prejudiced by this order.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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