

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26891 of 2025

Arising Out of PS. Case No.-164 Year-2023 Thana- EXCISE SHERGHATI District- Gaya

Tanvir Alam S/O Illiyas R/O Vill.- Ajmatpur Ajmaltganj P.S.- Paraiya,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-05-2025 Heard Learned Counsel for the petitioner and Learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Excise Sherghati P.S. Case No. 164 of 2023 lodged on 26.11.2023, for the offence punishable under Sections 30(a) & 56(b) of the Bihar Prohibition and Excise Act.

3. As per the prosecution, total recovery of 9 litres of illicit liquor 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 submits that petitioner is not named in the FIR and the alleged recovery of liquor has been made from a motorcycle and petitioner's name has come in this case only due to the reason that he is the owner of said motorcycle. Counsel submits that the



petitioner has given his motorcycle to other person who has commit the said wrong. Counsel submits that in future, such mistake shall not take place. Counsel further submits that petitioner has no criminal antecedent and he is ready to fulfill all the conditions whatsoever shall be imposed upon him.

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

6. As such, considering the aforesaid facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the Exclusive Excise Judge-3, Gaya, in connection with Excise Sherghati P.S. Case No. 164 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dr. Anshuman, J)

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