

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33368 of 2025

Arising Out of PS. Case No.-235 Year-2024 Thana- SRIPUR District- Gopalganj

Shahbaz @ Chhotu @ Shahbaz Ali, S/o- Late Shamshad Miyan, resident of
Village-Pandey Parsa, P.S.-Sripur, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurabh Kumar, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Sripur P.S. Case No.235 of 2024 registered under Section 30 (a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 99 liters of IMFL/country-made liquor.

4. It is submitted by learned counsel that the petitioner is neither connected with Hero Honda Splendor motorcycle, which was found involved in carrying of illicit



liquor nor with alleged illicit liquor. It is submitted that mere on the basis of suspicion raised by local Choukidar, petitioner was implicated with present case, who is a man of clean antecedent. It is submitted that in view of aforesaid, it can be safely gathered that recovery of illicit liquor was not made from physical possession of this petitioner.

5. Learned APP opposed the prayer of anticipatory bail to the petitioner.

6. In view of aforesaid factual submissions and by taking of note of fact as recovery of illicit liquor *prima facie* not appears to be recovered from conscious physical possession of this petitioner, who is a man of clean antecedent, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-XIII-cum-Special Excise Court No.-1, Gopalganj in connection with Sripur P.S. Case No.235 of 2024, subject to



the conditions as laid down under Section 438(2) of the
CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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