

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33984 of 2025

Arising Out of PS. Case No.-68 Year-2025 Thana- Raghunathpur Excise District- Siwan

Masoom Ali S/o Jainul Haque Miya Resident of Village- Jamanpura PS-
Andar Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Kumari Anupam, Advocate

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

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 28-05-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. A prayer for bail has been made on behalf of the
petitioner in connection with Raghunathpur P.S. Case no.68 of
2025 registered under sections 30(a), 32(3) of the Bihar
Prohibition and Excise Act, 2016.

3. There is a recovery a total of 230.600 litres of
foreign liquor from two scooty bearing Registration Nos.
BR29BD4032 and BR29BD5619. Two persons were arrested at
the spot including the petitioner herein.

4. Learned counsel for the petitioner submits that a
false recovery has been shown from the said vehicles which the
petitioner was driving. As a matter of fact, both the scooty
belongs to the co-accused Balindra Yadav. He further submits



that no independent witness is there on the seizure list further indicating violation of mandatory provisions of the B.N.S.S. The petitioner is in custody since 21.04.2025 and has no criminal antecedent. He undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Taking into consideration the above mentioned facts of the case, the petitioner is directed to be enlarged on bail in connection with Raghunathpur P.S. Case no.68 of 2025 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 Exclusive Special Excise Court-II, Siwan on the condition that the learned Court below would however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Soni Shrivastava, J)

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