

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36164 of 2025

Arising Out of PS. Case No.-149 Year-2025 Thana- Excise P.S. District- Kishanganj

Md. Mashkooor Alam @ Mashkooor Alam S/o Md. Mahfooz Alam R/o vill -
Burhimari, ward no. 4, P.S.- Kochadhaman, Distt.- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar

For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 18-06-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Kishanganj Excise Police Station Case No. 149 of 2025, dated 12.03.2025, disclosing offence under Sections 30(a)/32(3) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police, during vehicle check, saw two persons coming on a motorcycle from West Bengal and stopped them. There was a bag on the motorcycle between the two persons. On search of the bag, the police recovered 8.25 litres of illicit liquor.
4. Learned Counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case merely because he happens to be the registered owner of the motorcycle in question. He further submits that co-accused Devraj is his staff and he had borrowed his motorcycle for some work and the petitioner had no knowledge about the illicit liquor being transported on his motorcycle. He further submits that the petitioner has no concern with the seized illicit liquor and he has got no criminal antecedent.

5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that the petitioner has got no criminal antecedent and he has been made accused on the basis of being the registered owner of the motorcycle, which was borrowed by his staff, co-accused Devraj, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise



Court No. II, Kishanganj, in connection with Kishanganj
Excise Police Station Case No. 149 of 2025, subject to the
condition laid down under Section 482 (2) of the
Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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