

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37350 of 2025

Arising Out of PS. Case No.-162 Year-2017 Thana- DAGARUA District- Purnia

Md Zakir Alam S/O Md Rafique Alam R/O Village- Khazanchi Hat, P.S- K.
Hat (Sahayak), Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar
For the Opposite Party/s : Mr. Akbar Ali

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 20-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Dagarua P.S. Case no. 162 of 2017 instituted for the offence under Sections 273 of the IPC and Section 30 (a) of the Bihar Prohibition of Excise Act.

3. Prosecution case relates to recovery of 23.340 litres of illicit liquor from one white Maxico van during vehicle checking. It is further alleged that taking advantage of darkness, accused person managed to escape.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. Petitioner has falsely been implicated in this case. He was



owner of the vehicle but later on he had sold it to Rupesh Kumar Yadav. Sale agreement is annexed as Annexure-2 to the petition. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession.

5. Learned APP appearing for the State has opposed the prayer of Bail.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of six weeks from today and in the event of his arrest or surrender in connection with Dagarua P.S. Case no. 162 of 2017, he will be enlarged 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 learned Exclusive Special Judge Excise no. 1, Purnea subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

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