

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35002 of 2025**

Arising Out of PS. Case No.-262 Year-2024 Thana- KASBA District- Purnia

Md. Sarfaraj Son of Md. Hasim Resident of Village - Ward No.- 6 Murajpur  
Burai, P.S.- Dagrua, District - Purnea (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sumit Kumar Bhagat, Adv.  
For the Opposite Party/s : Ms.Sangeeta Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

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

2. The petitioner apprehends his arrest in connection  
with Kasba P.S. Case No. 262 of 2024 registered for the  
offences punishable under Section 30(a) of the Bihar  
Prohibition & Excise Act.

3. As per prosecution case, the police has recovered  
total 132 liters of illicit foreign liquor from Tempo.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offence as alleged  
against him and has falsely been implicated in the present case.  
The petitioner was neither apprehended on spot nor anything  
incriminating has been recovered from his conscious possession.



The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application. The petitioner has no concern with the seized liquor. The petitioner is the owner of the seized vehicle. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case.

5. Learned counsel for the petitioner further submits that the co-accused persons have been granted regular bail by this Court vide order dated 29.01.2025 passed in Cr. Misc. No. 3303 of 2025.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioner as also the prayer for bail being based on parity, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kasba P.S.



Case No. 262 of 2024, subject to the conditions as laid down  
under Section 482 (2) of the B.N.S.S.

**(Rudra Prakash Mishra, J)**

rishi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

