

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37036 of 2025

Arising Out of PS. Case No.-257 Year-2020 Thana- ALAMGANJ District- Patna

Md Zeyauddin S/o Late Abdul Hamid R/o Belwargang, Dabgar Toli, P.S.-
Alamganj, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar

For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 25-06-2025 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 Alamganj Police Station Case No. 257 of 2020, dated 23.04.2020, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that on 23.04.2020, at 4 AM, the police, during patrolling, saw a motorcycle and the police signalled the driver of the motorcycle to stop, but the driver fled away leaving behind the motorcycle. On search, the police recovered 60 litres of country-made liquor from the motorcycle kept in two sacks.
4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in



this case merely on the ground that he is the registered owner of the motorcycle in question. He further submits that the petitioner has sold the motorcycle in question to a scrap dealer at Patna Junction in the year 2019 itself. He further submits that the petitioner has got no criminal antecedent and is a businessman and runs a furniture store.

5. On the other hand, learned Additional Public Prosecutor vehemently opposes the prayer for bail and submits that the present F.I.R. was instituted in the year 2020 against the owner of the motorcycle in question and the petitioner did not produce any chit of paper regarding sale of the motorcycle in question to the scrap dealer.
6. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that liquor has been recovered from the motorcycle of the petitioner and the petitioner failed to produce any chit of paper regarding sale of motorcycle to scrap dealer, I am not inclined to grant the petitioner privilege of anticipatory bail.
7. This application is, accordingly, dismissed.
8. However, if the petitioner surrenders before the



concerned Court and seeks regular bail, the same may be considered by the concerned Court on its own merit, if possible on the same date, without being prejudiced by the rejection of the present anticipatory bail application of the petitioner by this Court.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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