

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36515 of 2025

Arising Out of PS. Case No.-2 Year-2022 Thana- SAHIYARA District- Sitamarhi

Md. Anwarul Ansari @ Batahu son of Late Md. Sukhari Mansuri Resident of
village -Madhubani Tola (Jogwana) PS-Sahiyara District-Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Adv.

For the Opposite Party/s : Mr.Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-06-2025 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Sahiyara P.S. Case No.02 of 2022, for the offences punishable under Section 414 of I.P.C. read with Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. As per the prosecution, FIR has been lodged against the petitioner with allegation that there is recovery of 16.200 liters of Nepali wine has been made from a motorcycle, which is subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that the petitioner has been falsely implicated in the present case. He further submits that the local chowkidar and co-villagers have disclosed the name of the petitioner. He further submits that out of 4 cases, 3 cases are under IPC and



only one case is under Excise Act.

5. Counsel submits that the criminal antecedent of the petitioner is not clean and there are four criminal cases pending against him and only due to this reason, his name has figured in this case.

6. Counsel further submits that the petitioner undertakes that his name shall not be inserted in any cases in future.

7. Learned APP for the State opposes the prayer for bail and submits that petitioner's antecedent is not clean and there is allegation that petitioner has fled away from motorcycle from where the said recovery has been made.

8. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner, therefore the bail application of the petitioner is hereby rejected.

9. However, trial court is directed to consider the regular bail application of the petitioner, if he surrenders within 6 weeks from today and prays for regular bail, then trial court shall pass order on merit without being prejudice of the present order preferably on the same day.

(Dr. Anshuman, J.)

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