

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36127 of 2025

Arising Out of PS. Case No.-374 Year-2024 Thana- PALASI District- Araria

MD. NADIM Son of Md. Israil Resident of Village - Dehti, Ward No.- 10,
P.S.- Palasi, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti, Advocate
For the Opposite Party/s : Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

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

2. The petitioner seeks bail in a case registered for the
offence under Section 30(a) of the Bihar Prohibition and Excise
Act.

3. The prosecution case is that the accused persons
left their four wheeler pickup van on seeing the police and
managed to escape. On search, total of 109 liters of nepali liquor
is said to have been recovered from the said van.

4. Learned counsel for the petitioner submits that the
name of the petitioner has surfaced in the present case on
account of the fact that he is owner of the seized vehicle. The
vehicle however was being used by the driver and the owner did
not have any idea whatsoever that his vehicle has been put to
illegal use. It has further been pointed out that the driver of the



vehicle Sarika Anwar @ Chand @ Md. Chand has also been granted the privilege of anticipatory bail by this Court vide order dated 01.05.2025 passed in Cr. Misc. No. 2637 of 2025. Petitioner is in custody since 07.04.2025 and he has no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. Considering the fact that there is no recovery from the personal or conscious possession of the petitioner and there is no independent witness to the seizure list and also considering that the petitioner has no criminal antecedent, let the, above named, petitioner 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-II, Araria in connection with Palasi P.S. Case No. 374 of 2024.

(Soni Shrivastava, J)

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