

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39792 of 2025

Arising Out of PS. Case No.-1570 Year-2023 Thana- Excise P.S. District- Kishanganj

Riajuddin @ Md. Riajuddin son of Jahiruddin Village- Bhatol Ps- Raiganj
District- Uttar Dinazpur W.B.

... .. 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.Asha Kumari

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

ORAL ORDER

3 27-06-2025 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

a case instituted for the offence punishable under Section

30(a), 32(3) of Bihar Prohibition & Excise Act.

3. The prosecution case relates to the recovery of

1.3 litres of Indian Made Foreign Liquor from a

motorcycle bearing Registration No. WB-74BL-8519,

which is alleged to be owned by the petitioner.

4. Learned counsel appearing on behalf of the

petitioner has submitted that petitioner is innocent and



has committed no offence. He has no concern with the alleged recovery. The name of petitioner sprang up in this case on the disclosure of local Chowkidar as a person who fled away from the place of seizure. Neither the petitioner is named in the FIR nor any incriminating article has been recovered from his conscious possession. It is further submitted that petitioner's son had taken the motorcycle without his permission on the alleged date and time of occurrence. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently 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 four weeks from today and in the event of his arrest or surrender in connection with Madhya Pradesh P.S. Case no. 1570 of 2023, giving rise to Special



Case No. 1615 of 2023, 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 II, Kishanganj, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

Nirajkrs/-

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