

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46004 of 2025

Arising Out of PS. Case No.-175 Year-2025 Thana- AMAUR District- Purnia

Md. Tajuddin, S/o Md Din, R/o vill - Kasai Mohalla, Thana- Sahayak
Khazanchi, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 04-08-2025 1. Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Amour P.S. Case No. 175 of 2025 registered under Section
30(a) of the Bihar Prohibition and Excise Amendment Act, 2016
on 30.04.2025.

3. As per the prosecution case, 60.77 liters of foreign
liquor were recovered from an E-Rickshaw bearing Model No.
Zeofine, TAC No. CARB 0359.

4. Learned counsel for the petitioner submits that the
name of the petitioner has transpired in this case on the ground
that he is the owner of the said vehicle. However, it has been
submitted that petitioner had sold the vehicle three years prior to
the incident to one Shiv Shankar Sah. There is no recovery from
the physical and conscious possession of the petitioner. There is



no independent witness of the seizure list, and hence mandatory provisions of search and seizure has been violated.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State on the ground that petitioner has one criminal antecedent. In response, learned counsel for the petitioner submits that he is on bail in the said case.

6. In view of the facts of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Amour P.S. Case No. 175 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise No-II, Purnea, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to the further condition that the learned Court below would however, verify the criminal antecedent of the petitioner before releasing him on bail.

(Soni Shrivastava, J)

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