

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47982 of 2025

Arising Out of PS. Case No.-323 Year-2023 Thana- HARLAKHI District- Madhubani

Md. Murtuza @ Mohammad Muratuja S/O Md. Kalim Resident of Village-
Hatwariya, P.S.- Harlakhi, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mrs. Rita Verma, APP

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

2 04-08-2025 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in connection with Harlakhi P.S Case No. 323 of 2023, for the offences under Sections 272, 273, of the Indian Penal Code and u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution story, total 96 litres of illicit liquor has been recovered from the tempo owned by the petitioner.

4. Learned counsel for the petitioner submit that petitioner has falsely been implicated in this case. Neither the petitioner has been found on the spot nor any incriminating material has been recovered from the conscious possession of the petitioner. Petitioner has been made accused in this case due to being owner of the seized tempo. It is further submitted that the petitioner had given his vehicle to his son for personal use



who was caught on the spot. Petitioner has no concern with the alleged recovery. Petitioner bears clean antecedent.

5. Learned Additional Public Prosecutor for the State opposes the prayer for anticipatory bail.

6. Keeping in view the aforesaid facts and also considering clean antecedent of the petitioner, let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the date of receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Judge (Excise Court), Madhubani in connection with Harlakhi P.S Case No. 323 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

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