

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49350 of 2025

Arising Out of PS. Case No.-853 Year-2024 Thana- Excise P.S. District- Purnia

Md. Azad Alam S/O Abdul Quadir Resident of Village- Simulya Nichitpur,
P.S.- Dalkola, District- Uttar Dinajpur, W.B.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 06-08-2025 Heard Mr. Md. Helal Ahmad, learned counsel for the
petitioner and Mr. Ramesh Chandra, learned APP for the State.

2. The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection with
Excise Sadar Purnea P.S. Case No. 853 of 2024 instituted for the
offence under Section 30(a) of the Bihar Prohibition and Excise
Act.

3. The case of the prosecution is that from a bike,
altogether 24 liters of beer and 2.160 liters of country made liquor
were recovered. Shahbaz Alam and Md. Danish Raza were.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has falsely been implicated in this
case. Learned counsel for the petitioner has submitted that the
name of this petitioner has surfaced in this case as he is the owner



of the said bike. He has given his bike to his nephew which has been misused by him. Nothing has been recovered from the possession of this petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent.

5. In contra, learned APP appearing for the State has vehemently opposed the prayer of bail of the petitioner.

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 petitioners 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 Excise Sadar Purnea P.S. Case No. 853 of 2024, 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 Court No. 2, Purnea subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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