

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48888 of 2025

Arising Out of PS. Case No.-42 Year-2025 Thana- Excise Jhanjharpur District- Madhubani

Afroz Alam @ Aproj Alam S/o Mohammad Ayub R/O Village- Ekhar
Baitha, Ward No. 01, PS- Phulparas, Distt- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhumita Singh, Adv.

For the Opposite Party/s : Mr.Khurshid Anwar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 08-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with G.O. No. 128/2025 arising out of Jhanjharpur Excise P.S. Case No. 42 of 2025 dated 09.03.2025 registered for the offences punishable u/ss 32(1), 32(3), 41(1), 41(2), 44, 47 and 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 97.560 litres of illicit foreign liquor was recovered from the house of the petitioner. 90 litres of illicit Nepali country made liquor was also recovered from the house of the co-accused, Tahir Mansoori which was kept by the petitioner.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this



case. It is further submitted that the petitioner has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The co-accused person has already been granted regular bail by this court vide order dated 12.05.2025 passed in Cr. Misc. No. 30233/2025. The petitioner has one criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that the said recovery has been made from the house of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, I am of the view that no case for grant of anticipatory bail is made out and the same is disposed of with direction to the petitioner to surrender before the Court below concerned within six weeks from today and pray for regular bail and the learned Court below may consider the prayer for regular bail of the petitioner on the same day without being prejudiced by this order.

8. The application stands disposed of.

(Chandra Prakash Singh, J)

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