

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51724 of 2025

Arising Out of PS. Case No.-51 Year-2025 Thana- Jhandapur District- Bhagalpur

Sarfaraz Ansari S/o Abdul Salam Ansari R/o Village- Nimakala, P.S.-
Lalmatiya, District- Godda (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda, Adv.

For the Opposite Party/s : Mr. Parmanand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 05-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Jhandapur P.S. Case No. 51 of 2025 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered
total 61.125 liters of illicit foreign liquor from the Tempo. The
petitioner was arrested on spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
He further submits that nothing incriminating has been
recovered from the conscious possession of the petitioner. The



petitioner is the driver of the alleged Tempo and was not aware of the contents of the material loaded in the same. The petitioner has no concern with the seized liquor. The petitioner has never indulged either in manufacturing or trading of the illicit liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 05.04.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Jhandapur P.S. Case No. 51 of 2025.

(Rudra Prakash Mishra, J)

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