

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.61396 of 2024**

Arising Out of PS. Case No.-68 Year-2024 Thana- SIMRI BAKHTIYARPUR District-  
Saharsa

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Mehsar Imam @ Mahsar Alam @ Md. Mahsar Alam son of Md. Akhtar @  
Akhtar Ali Resident Of Village -PAHARPUR, Ward No , Ps- Bakhtiyarpur,  
District -Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Diwakar Prasad Singh, Advocate  
For the Opposite Party/s : Mr. Nitya Nand Tiwary, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

- 310-01-2025Heard learned counsel for the petitioner and the State.
2. Petitioner apprehends arrest in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.
3. As per prosecution case, 94.3 liters of illicit cough syrup was recovered from the government water tank.
4. Learned counsel for the petitioner submits that no incriminating material has been recovered from conscious possession of the petitioner and he has been made accused in this case only on suspicion. Recovery has been made from the water tank which is an open place. Petitioner has got three criminal antecedents out of which one antecedent is of similar nature.



5. Learned A.P.P. for the State opposes the prayer for bail.

6. Considering the fact that recovery has been made from an open place, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Judge Excise, Saharsa in connection with Bakhtiyarpur P. S. Case No. 68 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

Navya/-

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