

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58215 of 2025

Arising Out of PS. Case No.-281 Year-2025 Thana- DHAKA District- East Champaran

1. Motiur Rahman Son of Md Merazul Haque @ Md Merazul R/o Vill - Fulawaria, Bengali Tola, P.S. - Dhaka, Distt.- East Champaran
2. Md. Imteyaz Son of Ramjaan Mian R/o Vill - Fulawaria, Bengali Tola, P.S. - Dhaka, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwari, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 16-09-2025 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend arrest in a case registered
under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, 186.6 litres of illicit
liquor was recovered from the sacks allegedly thrown by these
petitioners from motorcycle and it is alleged that petitioners fled
away from the spot.

4. Learned counsel for the petitioners submits that
petitioners are innocent and have falsely been implicated in this
case due to suspicion. Further submission is that petitioners were
neither present at the place of occurrence nor they were riding



any motorcycle as alleged. Petitioners have no concern with the seized illicit liquor. No incriminating material has been recovered from the conscious possession of the petitioners. There is no independent witness on the seizure list. Petitioner no. 1 has two criminal antecedents out of which, one belongs to Excise Act and petitioner no. 2 has no criminal antecedent. Petitioners undertake to cooperate in the investigation and trial.

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

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 3, Motihari, East Champaran in connection with Dhaka P.S. Case No. 281 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

(Sunil Dutta Mishra, J)

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