

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58331 of 2025

Arising Out of PS. Case No.-370 Year-2024 Thana- TARAIYA District- Saran

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Khusbuddin @ Khusurudin @ Khusbudin Alam S/o Naushad Ali @ Nausad
Alee R/o Village- Devadhi, P.S.- Taraiya, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Mili Kumari, Adv.

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

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

ORAL ORDER

2 19-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has earlier moved before this Court with a prayer for anticipatory bail which was rejected vide order dated 24.04.2025 passed in Cr. Misc. No. 24710 of 2025.

3. The petitioner seeks bail in connection with Taraiya P.S. Case No. 370 of 2024 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

4. Prosecution case, in short, is that the police apprehended two persons including the petitioner but, villagers attacked the police party and freed the petitioner. It is further alleged that police seized 10 litres of liquor and a motorcycle from the place of occurrence.



5. 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 merely because he is the brother of the apprehended accused Ajabuddin. He further submits that in the alleged occurrence no police personnel has sustained any injury but, from the injury report of two constables, it appears that the injury sustained by them is simple in nature and caused by blunt object. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. 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 03.07.2025 without any rhymes or reason.

6. Learned counsel for the petitioners again submits that the co-accused namely Azabuddin has been granted bail by this Court vide order dated 20.02.2025 passed in Cr. Misc. No. 85032 of 2024.

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



8. 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.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Taraiya P.S. Case No. 370 of 2024.

(Rudra Prakash Mishra, J)

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