

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62071 of 2025**

Arising Out of PS. Case No.-57 Year-2019 Thana- DEODHA District-
Madhubani

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Md Gul Bahar Son of Abdul Shakur R/o Ward No. 04, Bela Goth, Belhi
Pachhim, P.S. - Jaynagar, Dist. - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ratnakar Jha, Adv.

For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and the

learned Additional Public Prosecutor for the State.

2. This application for grant of anticipatory bail arises out of Deodha P.S. Case No. 57 of 2019 dated 07.05.2019, disclosing offence under Section 272, 273, and 414 of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act, 2018 (hereinafter referred to as 'the Act').

3. According to the prosecution case, 45 liters Nepali county made liquor was recovered from Passion Pro Motorcycle being Registration No. BR-3214 4682 on the basis of which the petitioner is being prosecuted in the aforesaid case.



4. Learned counsel for the petitioner submits that the petitioner is having clean antecedent and has not committed any offence. The petitioner is not named in the F.I.R. nor he was aware of the instant F.I.R. As a matter of fact, the petitioner has already sold the motorcycle in question in the year 2018 itself to one Vilat Yadav, which would be evident from Annexure-P-2, and the F.I.R. has been registered in the year 2019. He further submits that though, according the seizure list, 45 liters Nepal country made liquor has been recovered from the motorcycle in question but the petitioner has no concern with the alleged recovery. He further submits that the petitioner mere being the registered owner of the motorcycle, which was sold by him in the year 2018, he is being dragged in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner.

5. Regard being had to the submission made by the parties and taking into consideration the fact that petitioner has no criminal antecedent and the motorcycle in question was sold by the petitioner in the year 2018 and also nothing has been recovered from conscious possession of the petitioner, I am inclined to grant the privilege of



anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, (Excise Court), Madhubani in connection with Deodha P.S. Case No. 57 of 2019/ G.R. No. 876 of 2019, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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