

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65506 of 2025

Arising Out of PS. Case No.-86 Year-2025 Thana- KUNDWACHAINPUR District- East
Champaran

Md. Azmat Son of Atiullah Resident of Village - Balua Tola Guabari, P.S. -
Kundwachainpur, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prateek Tandon
For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Kundwachainpur P.S. Case No. 86 of 2025 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. As per prosecution case, 36 litre country made liquor was recovered from the motorcycle in question and co-accused Merajul Miya Dhuniya was apprehended on the spot.

4. Learned counsel for the petitioner submits that petitioner is not named in the FIR and his name has been transpired in the present case as owner of the motorcycle in question. Petitioner has given his motorcycle to co-accused Merajul Miya Dhaniya to visit a doctor and petitioner had no knowledge that illicit liquor was



being carried out by the said co-accused. Petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner bears no criminal antecedent. Nothing has been recovered from the conscious possession of the petitioner. Petitioner is not in any way connected with the alleged occurrence.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.3, East Champaran, Motihari in connection with Kundwachainpur P.S. Case No. 86 of 2025, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

(Alok Kumar Pandey, J)

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