

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69033 of 2025

Arising Out of PS. Case No.-37 Year-2025 Thana- SUKHANI District- Kishanganj

Bablu Jha S/o Mohan Jha Resident of B 1/176 Village- Shiv Ram Park
Nagloi, P.S.- Nagloi, District- West Delhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nadimul Hasan, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 08-10-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Sukhani P.S. Case No. 37 of 2025 registered for the offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution story, on 11.06.2025 at around 7:20 AM, the informant and police personnel were on patrol when they received secret information about a four-wheeler coming from Thakurganj. The police, with the help of SSB Camp personnel, stopped the vehicle near Surimitha village. Two occupants attempted to flee; one was caught while the other escaped towards the Nepal border. The apprehended individual identified himself as Abu Nasar from Matiyari,



Araria, the co-driver of the vehicle (DL-2CAB-4300, XUV-W-8-500), and named his associate Khursid from Bhebra, Araria. The police took Abu Nasar and the seized vehicle to the police station, documented it on video in the presence of two witnesses, and conducted a search. They recovered 347.40 liters of foreign liquor and a golden Vivo mobile with two SIM cards (Airtel and Jio). Abu Nasar was arrested, and a case was filed against him, Khursid, and the vehicle.

4. Learned counsel for the petitioner submits that the vehicle in question from where the recovery of liquor to the tune of 347.40 liter though belongs to this petitioner, the said vehicle bearing Reg. No. DL-2CAB-4300 was given to one Anayat Karim for his personal use and on his advice, the petitioner sold the vehicle to one Md. Abu Nasar, son of Md. Tasduk, village Matiyari, Araria, and the documents pertaining to such transfer, one affidavit is brought on record by way of Annexure-2. It has next been submitted that the petitioner is residing and is running his business at Delhi itself and is in no way connected with the seized articles.

5. Without accepting the guilt, learned counsel for the petitioner proposes to deposit Rs.15,000/- in the welfare account of the Advocate Association of the Patna High Court.



6. Learned APP for the State opposes the prayer for anticipatory bail application.

7. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the conscious possession and / or premises belonging to the petitioner and the petitioner has clean antecedent, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

8. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today 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 Judge Excise, 01, Kishanganj, Bihar, in connection with Sukhani P.S. Case No. 37 of 2025 subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023 and on production of the receipt showing deposit of Rs. 15,000/- as proposed on behalf of the petitioner.

(Ajit Kumar, J)

sharun/-

U		T	
---	--	---	--

