

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69714 of 2025

Arising Out of PS. Case No.-1435 Year-2023 Thana- Excise P.S. District- Kishanganj

Md. Mahfooz Alam, S/o Rafique Alam, Resident of village - Masjid Garh,
Ward no. 3, P.S.- Kochadhaman, District - Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 13-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Special Case No. 1478 of 2023 arising out of Excise P.S. Case No. 1435 of 2023, instituted for the offence under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. There is recovery of 7.335 litres of illicit liquor from the dickey of the motorcycle bearing Registration No. BR37AB 7299 on which Nayaab Gohar and Mudassir Alam were riding who were apprehended on the spot.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case being registered owner of the said motorcycle. He had given the motorcycle to his friend, who is one of the co-accused,



for medical purpose but he misused his motorcycle. Petitioner had no knowledge about the misdeed of co-accused. No incriminating material has been recovered from his possession. Petitioner has no concern with the seized liquor. Petitioner has no criminal antecedent. He undertakes to co-operate in the investigation and trial.

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

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 Petitioner, above-named, be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge (Excise)-II, Kishanganj in connection with Special Case No. 1478 of 2023 arising out of Excise P.S. Case No. 1435 of 2023, subject to the conditions laid down in Section 482 (2) of the Bhartiya Nagrik Suraksha Sanhita (B.N.S.S.), 2023.

(Sunil Dutta Mishra, J.)

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