

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72227 of 2025

Arising Out of PS. Case No.-462 Year-2023 Thana- SIWAN MUFFASIL District- Siwan

Shamim Ahmad S/o- Rashid Ahmad R/v- Shahpur Sirpura Ps- Alchora
Kamboh Dist- Sambhal U.P

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rananjay Kumar

For the Opposite Party/s : Mr. Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 16-10-2025 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application for grant of anticipatory bail arises out of Siwan Muffasil (Mahadeva O.P.) Police Station Case No. 462 of 2023, dated 22.08.2023, disclosing offence under Sections 419/420/467/468/471 of the Indian Penal Code and Sections 30(a)/32(i)(ii)/36/41 of the Bihar Prohibition and Excise Act.
3. The prosecution story, as per First Information Report, is that on 22.08.2023, the police received secret information regarding transportation of liquor through a red six-wheeler truck. On this information, the police reached Jhuna More and began vehicle checking. The police then saw a truck, bearing registration no. UP-23TT-358,



coming from Gopalganj was found in suspicious condition. On search, 3133.08 liters of foreign liquor concealed inside wooden pipes were recovered. The driver, Surbjeet Singh, was apprehended.

4. Learned counsel for the petitioner submits that the petitioner is not named in the First Information Report and he has not committed any offence in the manner alleged. The driver of the truck, namely, Surbjeet Singh, was arrested by the police, however, he has not disclosed the name of the petitioner in his confessional statement. He next submits that the petitioner has been implicated in this case only because he happens to be the registered owner of the Truck. He further submits that the vehicle, in question, was sold by the petitioner to one Gurmit Singh and a settlement was prepared with respect to payment of installment of loan amount by 30.09.2023, which would be evident from Annexure-P/2 to this application. The petitioner has got no criminal antecedent.
5. Regards being had to the submission made by the parties and taking into consideration the fact that the petitioner has been made accused in the present case merely because he happens to be the registered owner of the



vehicle, in question, and the arrested driver in his confessional statement did not disclose the name of petitioner and the petitioner has no criminal antecedent, I am inclined to grant the petitioner privilege of anticipatory bail.

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 Special Exclusive Excise Court 2nd, Siwan, in connection with Siwan Muffasil (Mahadeva O.P.) Police Station Case No. 462 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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