

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76568 of 2024

Arising Out of PS. Case No.-57 Year-2024 Thana- SAHPUR District- Patna

Abdul Salim Son of Md. Gani @ Gani @ Abdul Gani R/O Loharo Ka Baas,
Gram- Roon, P.S.- Kuchera, Dist.- Nagaur, Rajasthan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Nurul Hoda, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharn Singh (APP)

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

3 18-04-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Shahpur P.S. Case no.57 of 2024 registered under Sections 30(a), 41 and 56 of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per the prosecution case, the informant states that on seeing police personnel the accused left his truck and managed to escape. On search, a total of 5033.52 liters of illicit foreign liquor is said to have been recovered from the said seized truck.



4. Learned counsel for the petitioner submits that F.I.R is registered against unknown. The petitioner has been falsely implicated in the case only for the reason that he happens to be the registered owner of the said vehicle. He further submits that the seizure list has not been prepared according to provisions under Section 100 Cr.P.C because from perusal of the seizure list it appears that the witnesses of the seizure list are the police officials and there is no independent witness to the seizure list. Nothing has been recovered from physical or conscious possession from the petitioner. The petitioner has no criminal antecedent and undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. In view of the aforesaid facts of the case, it is directed that the petitioner above named, having no criminal antecedent in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Shahpur P.S. Case no.57 of 2024 on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Excise Judge, Danapur,



subject to the condition laid down under Section 438(2) of the
Code of Criminal Procedure/Section 482(2) of the B.N.S.S,
2023.

(Soni Shrivastava, J)

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