

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79566 of 2025

Arising Out of PS. Case No.-497 Year-2023 Thana- Excise P.S. District- Kishanganj

Samuan Ali @ Samual Ali S/O Md. Ishahoque R/O Village- Raghunathpur,
P.S- Jayrampur, Distt.- Murshidabad, West Bengal.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sunil Kumar
For the Opposite Party/s	:	Mr.Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-12-2025 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Special Case No. 524 of 2023 (arising out of Kishanganj Excise P.S. Case No. 497 of 2023) dated 08.04.2023 registered under Sections 30(a), 32(3) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case Excise Police on 08.04.2023 at about 09:05 P.M. during course of vehicle checking stopped a Maruti Suzuki Wagon-R bearing registration no. WB02AP-5156 and recovered 650 ml Beer beneath the driver's seat.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case merely because he happens to be the registered owner of the vehicle in question. The petitioner was already in the process of transfer-



ring the vehicle to the co-accused namely, Ihsanul Kabir who was allegedly occupying the vehicle at the time of search and seizure. The petitioner has no criminal antecedent.

5. Regard being had to the submission made by the parties, taking into consideration the defence taken by the petitioner regarding alleged recovery of Beer and the fact that the petitioner has no criminal antecedent, accordingly, I am inclined to grant anticipatory bail to the petitioner.

6. 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 Chief Judicial Magistrate, Kishanganj in connection with Special Case No. 524 of 2023 (arising out of Kishanganj Excise P.S. Case No. 497 of 2023) subject to the condition as laid down under Section 482 (2) of the B.N.S.S. 2023.

(Anil Kumar Sinha, J)

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