IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80041 of 2025

Arising Out of PS. Case No.-341 Year-2025 Thana- BAISI District- Purnia

==========

Mobassir @ Md Mobassir Alam @ Mobbasir @ Md Mobbisir R/o Hafiz Hasib @ Md. Hasibur Rahman Resident of Harerampur Pahariya, P.S. - Baisi, District - Purnea.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr. Md Fazle Karim
For the Opposite Party/s : Mr. Pradeep Narain Kumar

==========

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Baisi Excise P.S. Case No.341 of 2025 dated 21.08.2025, registered for the offences under Sections 30(a) of Bihar Prohibition and Excise Act.

3. As per the FIR, the informant, along with other officials, reached near Pahariya Pul and saw a person fleeing with a black bag. He was apprehended and identified himself as Vikas Kumar Singh. Upon search, 6 liters of illegal liquor were recovered, and he disclosed that the liquor belonged to the petitioner. Upon the said information, police conducted raid at a hut and recovered 9 liters of liquor.

WEB COPY

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case merely on the basis of the statement of the apprehended co-accused. He further submits that the petitioner has no connection with the apprehended co-accused, and the hut from which 9 liters of liquor were recovered does not belong to the petitioner. Lastly, it is submitted that the petitioner has two criminal antecedents on which he is on bail.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the constructive possession of the petitioner and petitioner is in no way connected with the seized liquor, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

7. 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 Court No.01, Purnea, in

WEB COPY

connection with Baisi Excise P.S. Case No.341 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS, 2023.

(Ajit Kumar, J)

shikha/-

U		T	

WEB COPY