

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79562 of 2025

Arising Out of PS. Case No.-197 Year-2024 Thana- GAIGHAT District- Muzaffarpur

Ajay Maruti Said @ Ajay Said S/O Maruti Said R/O Mohalla- Said Wadi,
Mahalunge Padawal, P.S- Manchar, Distt.- Pune (Maharashtra).

... .. Petitioner/s
Versus
The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prasoon Kumar, Advocate
Mr. Vikas Kumar, Advocate
Ms. Ritambra Kumari, Advocate
For the Opposite Party/s : Mr.Awadhesh Kumar Singh

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 Gaighat P.S. Case No. 197 / 2024 dated 05.08.2024 registered for the offence under Section 317(2) of the B.N.S. and Section 30(a) of the Bihar Prohibition and Excise Amendment Act 2022.
3. As per the first information report a total quantity of 341.25 liters of illicit foreign liquor has been recovered from a container bearing registration no. MH-14HU-1862 going towards Darbhanga from Muzaffarpur.
4. Learned counsel for the petitioner submits that



petitioner has falsely been implicated in this case by the Police due to oblique motive. He further submits that petitioner was never involved in any kind of manufacturing and / or selling of illicit liquor. He next submits that the name of the petitioner has transpired in this case only because of the fact that fast tag recovered from the seized container is registered in the name of the petitioner. The petitioner has already lodged an F.I.R. bearing Muhana P.S. Case No. 1180 / 2024 (District- Jaipur, Rajasthan) for theft of the said vehicle from his possession. The petitioner is neither owner nor driver of the said vehicle. The petitioner has no criminal antecedent.

5. Regard being had to the submissions advanced by the parties, taking into consideration the fact that fast tag of IDFC bank registered in the name of the petitioner has been recovered from the seized vehicle, huge quantity of illicit foreign liquor to the tune of 341.25 liters has been recovered and FIR lodged by the petitioner is much after the date of seizure of illicit liquor and vehicle as such in view of Full Bench judgment rendered in Cr. Appeal (SJ) No. 431 of 2019 (Ram Vinay Yadav versus The State of Bihar), I am not inclined to extend the privilege of anticipatory bail to the petitioner. The same is rejected.

6. However, if the petitioner surrenders and seeks regular



bail, the concerned court may consider the prayer for bail on the same day without being prejudiced by the fact that the present anticipatory bail application has been rejected by this court.

(Anil Kumar Sinha, J)

praful/-

U		T	
---	--	---	--

