

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80046 of 2025

Arising Out of PS. Case No.-97 Year-2025 Thana- Excise P.S. District- Araria

Jami Ahmad son of Tamijuddin Resident Of Village -Khabdah, Ward No 18,
Post -Kanheli, P S -Narpatganj, District -Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha

For the Opposite Party/s : Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 03-12-2025

Heard learned counsel for the parties.

2. The petitioner is apprehending his arrest in connection with Araria Excise P.S. Case No.317 of 2025 dated 21.03.2025, registered for the offences under Sections 30(a) of Bihar Prohibition and Excise Act.

3. As per the FIR, while checking vehicles near the Nepal border at Manikpur, the police signaled a person to stop. Upon which, he left the motorcycle there and escaped under cover of darkness. From the motorcycle, 7.5 liters of Nepali liquor was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case solely on the ground that he is the registered owner of the motorcycle. It is submitted that no recovery has



been made from the conscious possession of the petitioner, and he has no connection with the liquor recovered in the case. It is further submitted that the petitioner's motorcycle appears to have been misused by someone, as it is not clear whether the liquor allegedly recovered from the dickey of the motorcycle which was in a locked or an unlocked condition. Lastly, it is submitted that the petitioner has no criminal antecedent.

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 conscious 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 District and Additional Sessions Judge-cum-Exclusive Special Judge, Excise-II, Araria, in connection with Araria



Excise P.S. Case No.97 of 2025, subject to the condition as
laid down under Section 482(2) of the BNSS, 2023.

(Ajit Kumar, J)

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