

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84894 of 2024

Arising Out of PS. Case No.-176 Year-2024 Thana- BARACHATTI District- Gaya

Nasim Ahmad @ Md. Nasimuddin S/O Abdul Azis @ Ajij Miyan Resident of
Village- Hemjapur, Post- Dangra, P.S- Barachatti, Distt.- Gaya. At Present
Resident of Colony- Z-3/273/4/1, Bagdi Para Road, Kolkata, West Bengal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tabish Sharfuddin, Advocate

For the Opposite Party/s : Ms.Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 07-01-2025 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Barachatti (Mohanpur) PS case no. 176 of 2024,
disclosing offences punishable under Section 30(a) of Bihar
Prohibition and Excise (Amendment) Act.
3. The prosecution story, as per the First Information
report, is that on 20.03.2024, informant along with police party
recovered 26.85 liters of illicit English liquor from the
motorcycle but the motorcycle rider fled away.
4. Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in this case on account of
being the owner of the alleged motorcycle, however the fact is
that the said motorcycle was sold by the petitioner to one
Pramod Kumar prior to the date of occurrence. He further



submits that petitioner has no concern either with the seized illicit liquor or with the motorcycle. Petitioner is having no criminal antecedent.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that prior to the date of occurrence, the alleged motorcycle was already sold by the petitioner as also the fact that petitioner is having clean antecedent, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Court No. 5, Gaya in connection with Barachatti (Mohanpur) PS case no. 176 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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