

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85565 of 2025

Arising Out of PS. Case No.-17 Year-2023 Thana- SAHARGHAT District- Madhubani

Md. Tanveer Alam, S/o Md. Manjur Alam, R/O Village- Sirajpur, P.S.-
Marauna, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagandeo Prasad Yadav, Advocate Mr. Vinod Kumar, Adv. Mr. Rajesh Kumar, Adv
For the State	:	Mr. Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 18-12-2025 1. Heard Mr. Gagandeo Prasad Yadav, learned counsel for the petitioner and Mr. Md. Anzarul Haque Sahara, learned APP for the State.
2. The petitioner apprehends his arrest in connection with Saharghat P. S. Case No. 17 of 2023 dated 14.02.2023 registered for the offences punishable under Sections 272, 273, 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.
3. The main submissions advanced by the learned counsel for the petitioner are that the petitioner has been made accused mainly on account of being the registered owner of the alleged motorcycle from which the recovery of the alleged liquor was made but in fact at that time the petitioner was not



riding the said motorcycle rather the same was in the possession of one Ashish Kumar who happens to be a friend of this petitioner and had taken the petitioner's motorcycle on some pretext, which was later misused by him and it is not the case of the prosecution that the apprehended co-accused Ashish Kumar disclosed any kind of role of the petitioner in smuggling of the alleged liquor, hence there is nothing even prima facie to show the petitioner's involvement in the alleged offence of the Excise Act, so, his prayer is not hit by the provisions of Section 76(2) of the Bihar Prohibition and Excise Act.

4. Though, learned APP appearing for the State has opposed the bail prayer of the petitioner but he fairly accepts that the petitioner has been made an accused mainly on account of he being registered owner of the alleged motorcycle from which the recovery of the alleged liquor was made.

5. In the facts and circumstances of this case and considering the above submissions and mainly coupled with the petitioner's fair and clean antecedent, this court is inclined to grant the relief of anticipatory bail to him. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with



Saharghat P. S. Case No. 17 of 2023 on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Shailendra Singh, J)

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