

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87598 of 2025

Arising Out of PS. Case No.-63 Year-2025 Thana- GHURNA District- Araria

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Tufail S/O Harun Miyan Resident of Village- Pathraha ward no. 13, Police
Station- Ghurna, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 19-12-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Ghurna P.S. Case No. 63 of 2025, F.I.R dated 09.09.2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, the written report of the informant Manilal Manjhi, Assistant Sub-Inspector of Police, Ghurna Police Station, is that on 07.09.2025 at about 07:45 hours, acting on secret information, he along with the police force reached a pucca road behind APHC, Ghurna. It is alleged that one person left some sacks in front of his gate and fled away, managing to escape due to dense vegetation. On



enquiry, local persons and the chaukidar disclosed the name of the fleeing person as Tufail, the present petitioner. Upon search of the sacks, the informant allegedly recovered 90 bottles of 300 ml each, totalling 27 litres of country-made liquor, for which a seizure list was prepared.

4. Learned counsel for the petitioner submits that the seized recovery is said to have been made from outside the main gate of the house of the petitioner, and the petitioner is no way connected with the seized material. The seizure list is prepared without adhering the provisions of BNSS Act, and there is no independent witness. The petitioner has clean antecedent.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

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 and / or premises belonging to the petitioner and considering the aforesaid fact that petitioner has clean antecedent and no way connected with the seized material, 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-1st, Araria in connection with Ghurna P.S. Case No. 63 of 2025 subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

(Ajit Kumar, J)

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