

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9521 of 2026**

Arising Out of PS. Case No.-110 Year-2022 Thana- BALIA BELON District- Katihar

Habibur Rahman, Son of Late Md. Israil, Resident of Village- Nagdahi Belwa  
ward no. 3, P.S.- Moffasil Ranipatra, District- Purnea

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Nadimul Hasan, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      17-02-2026              Heard learned counsel for the petitioner and  
learned APP for the State.

**2.** The accused-petitioner is not named in the F.I.R. and apprehending his arrest in connection with Balia Balon P.S. Case No.110 of 2022 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

**3.** The allegation against the petitioner is to have in possession of 57.24 litres of illicit liquor and engaged in illegal trading/manufacturing of illicit liquor.

**4.** Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner has been transpired in this case out of



suspicion arising out of disclosure made by apprehended co-accused, in furtherance of which, no incriminating material has been recovered/surfaced from conscious physical possession of this petitioner rather same was recovered from Apache Motorcycle, which belongs to this petitioner, as son of petitioner has given alleged motorcycle to co-accused. The petitioner claimed clean antecedent.

**5.** Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

**6.** In view of the aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima-facie* not appears to be made from conscious physical possession of this petitioner, who is a man of clean antecedent, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned



Exclusive Special Judge, Excise Court-1,  
Katihar/concerned court in connection with Balia  
Belon P.S. Case No.110 of 2022, subject to the  
conditions as laid down under Section 438(2) of the  
Cr.P.C/Section 482(2) of the Bhartiya Nagarik  
Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J.)

Sanjeet/-

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