

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8956 of 2026

Arising Out of PS. Case No.-273 Year-2023 Thana- SAHPUR District- Patna

Sakil @ Mohammad Sakil S/o Md. Vsi Resident of Village- Bhaluhipur
Arrah, P.S.- Ara Town, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 18-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Sahpur P.S. Case No. 273 of 2023, registered for the offence punishable under Section 30(c) of Bihar Prohibition and Excise Amendment Act.

3. As per prosecution-case, 120 k.g. Mahua flower was recovered from the tempo in question and F.I.R. has been lodged against Chandramuni Devi and the owner and driver of the vehicle bearing Regn. No. BR03PA 8173 found at the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is quite innocent and has committed no offence as alleged in the F.I.R. It has been specifically stated in para-10 of



the bail petition that the occurrence took place on 16.04.2023 which is more than two years after the petitioner had already sold the vehicle on 17.03.2021 and copy of the agreement is annexed as Annexure-3. Petitioner has no concern with the vehicle and the and petitioner has neither knowledge nor direct or indirect connection with the alleged recovery of Mahua flower from the vehicle. Petitioner was not found at the place of occurrence and nothing incriminating was recovered from the conscious possession of the petitioner. Apart from that, petitioner is having no criminal antecedent. In light of the aforesaid facts and circumstances, no allegation, as alleged in the F.I.R., is made out against the petitioner.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that petitioner is named in the F.I.R. and he cannot escape from the allegations made in the F.I.R.

6. Considering the facts and circumstances of the case, petitioner was not found at the place of occurrence, keeping in view clean antecedent of the petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the



learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail-bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Judge, Danapur in connection with Sahpur P.S. Case No. 273 of 2023, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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