

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10845 of 2026

Arising Out of PS. Case No.-7 Year-2022 Thana- Excise P.S. District- Kishanganj

Arijul Sekh @ Arijul Sk. Son of Abu Shekh Resident of Village- Hazrapota
Palasi, P.S.- Kaliganj, District- Nadia (West Bengal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Adv

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

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

2. The petitioner apprehends his arrest in connection with Excise P.S. Case No. 07 of 2022, registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act and the cognizance has been taken under Sections 30(a), 32(3) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution, in short, is that on 09.04.2022, the informant along with other police personnel were checking vehicle at the Galgalia check post. During checking, a truck which was coming from West Bengal was asked to be stopped by the police team. Upon questioning, neither the driver nor the co-driver gave any clear answer. The police then took both of them into custody and began searching



the vehicle. Upon search, a total 9672.000 litres of illicit liquor was recovered from the vehicle. When asked for their names and addresses, the driver gave his name as Md. Amzad and the co- driver gave his name as Md Arman. Accordingly, the seizure list was prepared in presence of witnesses.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. He further submits that the petitioner has been implicated because he is the owner of the seized vehicle. Nothing has been recovered from the conscious physical possession of the petitioner. He further submits that the petitioner has no criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer of anticipatory bail.

6. Considering the fact that no recovery has been made from the conscious physical possession of the petitioner and he has simply been implicated because he is the owner of the seized vehicle and also taking into account the fact that the has clean antecedent, this Court is inclined to grant privilege of anticipatory bail to the petitioner.

7. Let the petitioner, named above, in the event of his arrest or surrender before the Court below within four weeks



from today, 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 the learned Exclusive Special Judge Excise II, Kishanganj in connection with Excise P.S. Case No. 07 of 2022, subject to the conditions laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 as also further condition that:-

(i) the petitioner shall co-operate in the investigation/trial.

(ii) the learned Court would, however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Alok Kumar Sinha, J)

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