

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14658 of 2026

Arising Out of PS. Case No.-221 Year-2025 Thana- MADHEPUR District- Madhubani

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Mohammad Alam S/O Basir @ Mohammad Basir Resident of Village -
Khushiyali, Police Station- Marauna, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md Soban Asghar, Advocate

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 12-03-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Madhepur P.S. Case No. 221 of 2025, instituted under Sections 274, 275 of the B.N.S. and Section 30(a) of the Bihar Prohibition & Excise Act.

3. As per the prosecution case, 15 litres country made liquor was recovered from the motorcycle and 20 litres country made liquor from the Aactiva Scooty. It is alleged that petitioner fled away from the spot who was driving the Scooty.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case on the basis of disclosure statement made by the co-accused, namely, Md. Chhotan. Petitioner was not driving the alleged Scooty and same does not belong to the petitioner. Petitioner has no concern either with the seized liquor or with the motorcycle or



Scooty. He was not present on the spot. Nothing incriminating has been recovered from the conscious possession of the petitioner. There is violation of mandatory provisions of search and seizure. Petitioner has one criminal antecedent in which he is on bail. Petitioner undertakes to co-operate in the investigation and trial.

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

6. Considering the facts and circumstances of the case, submission of learned counsel for the parties and nothing has been recovered from the conscious possession of the petitioner, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Act, Jhanjharpur, Madhubani in connection with Madhepur P.S. Case No. 221 of 2025, subject to the conditions laid down in Section 482 (2) of the Bharatiya Nagrik Suraksha Sanhita (B.N.S.S.), 2023.

(Sunil Dutta Mishra, J)

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