

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19541 of 2026

Arising Out of PS. Case No.-733 Year-2024 Thana- Excise P.S. District- Siwan

Mahammad Ali @ Md Ali S/o Late Sagir Ali @ Sagir Sai Resident of village-
Baghauni, P.s.- Hussainganj, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

3 18-05-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner is apprehending his arrest in a case
in connection with Excise Siwan P.S. Case No. 733 of 2024,
registered for the offences punishable under Section 30(a) and
32(3) of the Bihar Prohibition & Excise Amendment Act 2016.

3. As per the allegation, from a car, altogether 276.480
liters of illicit foreign liquor was recovered. Petitioner has been
made accused being the owner of the vehicle.

4. Learned counsel for the petitioner has submitted
that the petitioner became owner of the vehicle on 14.05.2025
and the alleged occurrence took place on 19.11.2024. It has been
submitted that the petitioner was not the owner of the vehicle at
that point of time, even if, the allegation is accepted to be true,



the vehicle in question was not under the control of the petitioner when it was seized with the illicit liquor. It has further been submitted that the search and seizure is in violation of Section 105 of the B.N.S.S. and in such circumstances, the application for anticipatory bail would be maintainable with respect to the petitioner.

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

6. Heard the parties and perused the record.

7. Considering the facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged 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 the learned Exclusive Court Excise II, Siwan, in connection with Excise Siwan P.S. Case No. 733 of 2024, subject to satisfaction of the conditions as laid down under Section 482(2) of the BNSS.

(Praveen Kumar, J)

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