

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17638 of 2026**

Arising Out of PS. Case No.-175 Year-2022 Thana- SIKTI District- Araria

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Saud Alam @ Sawood Alam @ Md Saud Alam Son of Ali Mohammad  
Resident of village- Shyampur Pachaili, Ward no. 10, Balua, Ps- Palasi, Dist-  
Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Md. Ziaul Quamar

For the Opposite Party/s : Mr.Shyam Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR**  
**ORAL ORDER**

2      25-03-2026                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Sikti P.S. Case No.175 of 2022, F.I.R dated 07.07.2022 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, on 06.07.2022, while the informant was deputed at Dimhiya Check Post for vehicle checking along with police personnel and home guards, a motorcycle rider carrying a sack stopped about 20 meters west of the check post at around 08:30 PM. On noticing the police party, he allegedly attempted to flee and, during the chase,



abandoned the motorcycle and the sack before escaping under cover of darkness. Thereafter, in presence of two independent witnesses, namely Jai Narayan Sah and Anil Sah, the sack was searched and two cartons containing 60 bottles of Resham Litchi (Nepali liquor) of 300 ml each, totaling 18 litres, were allegedly recovered. The motorcycle bearing Registration No. BR38B-3858, with erased chassis number and engine No. 07M22E34125, along with the recovered liquor, was seized and a seizure list was prepared accordingly.

4. 4. Learned counsel for the petitioner by referring to Annexure-P/2 at page 18, submits that the motorcycle bearing Registration No. BR38B-3858, with erased chassis number and engine No. 07M22E34125, was already sold to one Amir Uddin in the year 2022 itself through an agreement on stamp paper bearing No.3147 dated 15.03.2022 and the petitioner is in no way connected with the motorcycle, after the sale was effected in favour of Amir Uddin. It has next been submitted that the petitioner has 1 criminal antecedent, in which he is on bail and the petitioner further undertakes to co-operate with the investigation and abide by the terms and conditions in case the privilege of anticipatory bail is extended in their favour.

5. Learned APP for the State opposes the prayer for



anticipatory bail application.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the constructive possession and / or premises belonging to the petitioner and the ownership of the motorcycle has already been transferred to one Amir Uddin in the year 2022, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Session Judge cum Exclusive Special Excise Judge-II, Araria, in connection with Sikti P.S. Case No.175 of 2022 subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

**(Ajit Kumar, J)**

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