

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18619 of 2026

Arising Out of PS. Case No.-802 Year-2024 Thana- KATIHAR NAGAR District- Katihar

Mahfooz Alam S/O Manjoor Ali R/O Jainagar, PS- Mansahi, Distt- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh
For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 08-04-2026 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application for grant of anticipatory bail arises out of Katihar Town Police Station Case No. 802 of 2024, dated 31.10.2024, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police, on secret information that two persons are going to Hawai Adda field from Balu Ghat on a motorcycle, carrying liquor on it, reached the Balu Ghat bridge and saw two persons coming on a motorcycle having a luggage and on seeing the police, they started fleeing away, but the police apprehended one person, while the other succeeded in fleeing away. The arrested



person disclosed his name as Hari Lal Sahni and the name of the person, who succeeded in fleeing away as Shivam @ Shibu Poddar. On search of the luggage kept on the motorcycle, the police recovered 110 litres of illicit country-made liquor.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is not named in the First Information Report and his name transpired, during investigation, as he was seen driving the motorcycle, in question, on several occasions. He further submits that the petitioner is not the registered owner of the motorcycle, in question. The petitioner was not named by the arrested co-accused person. The petitioner is having no criminal antecedent.
5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that the petitioner is not named in the First Information Report, he is not the registered owner of the motorcycle, he has been made accused in this case merely on suspicion and the petitioner is not having any criminal antecedent, I am inclined to grant the petitioner privilege



of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, 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 learned Exclusive Special Excise Court No. 2, Katihar, in connection with Katihar Town Police Station Case No. 802 of 2024, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

