

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21894 of 2026

Arising Out of PS. Case No.-68 Year-2025 Thana- Lalamnia District- Madhubani

Sharfe Alam @ Md. Sharif Alam Son of Md. Tahir Hussain R/O- Tulapatganj,
Ward No.- 05, Sangram, P.S.- Arariya Sangram, District - Madhubani, Bihar -
847109.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajkumar Rajesh, Advocate

For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 08-04-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is apprehending arrest in connection with Lalamnia P.S. Case No. 68 of 2025, dated 03.11.2025, lodged under Sections 274 & 275 of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”) and under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

3. As per the prosecution, total recovery of 270 litres of illicit liquor has been made, which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel



further submits that the petitioner has no concern with the alleged recovery. Counsel further submits that the petitioner has not been apprehended from the spot and nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the criminal antecedent of the petitioner is clean.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Special Judge Excise, Jhanjharpur, District-Madhubani, in connection with Lalamnia P.S. Case No. 68 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

7. It is further directed that the Trial Court shall verify the criminal antecedent of the petitioner, and in case it is found at any stage that the petitioner has concealed his criminal antecedent, the Trial Court shall take steps for cancellation of the petitioner's bail bond. However, the acceptance of the bail



bond in terms of the above-mentioned order shall not be delayed
for the purpose of or in the name of verification.

(Dr. Anshuman, J.)

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