

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25943 of 2026

Arising Out of PS. Case No.-174 Year-2021 Thana- DUMARIAGHAT District- East
Champaran

=====

Md. Sabab Son of Md. Hasib Resident of Village- Nariyar Bairwa, P.S.-
Motipur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

=====

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 24-04-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 30(a), 32 and 41 of the Bihar Prohibition and Excise Act.

3. The allegation in the First Information Report is that 38.7 litres of foreign liquor has been recovered from a bag kept on the motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is said to be the owner of the said motorcycle. It is submitted that the petitioner has given the motorcycle to his friend and he has no knowledge or concern with the seized liquor. There is no recovery from personal or conscious



possession of the petitioner. It is further submitted that there is no independent witness to the search and seizure. The petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail on the basis of allegations made in the First Information Report.

6. Taking into consideration the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned 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 the learned Court below where the case is pending/successor Court in connection with Dumariyaghat P.S. Case No. 174 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

(Soni Shrivastava, J)

anand/-

U		T	
---	--	---	--

