

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30301 of 2026

Arising Out of PS. Case No.-289 Year-2025 Thana- MANIYARI District- Muzaffarpur

Asif S/o Md. Islam, Resident of Village - Lamba, P.S. - Mandrela, Dist. -
Jhunjhunun, State - Rajasthan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. (Dr.) Bipin Chandra, Advocate
For the State	:	Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-05-2026 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Maniyari P.S. Case No. 289 of 2025, dated 08.10.2025, registered for the offences punishable under Sections 340(2), 318(4) and 111 of the B.N.S., 2023 and Sections 30(a), 36 and 41(1) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, Police received secret information about transportation of illicit liquor in a container truck and a pick-up vehicle. A raid was conducted and some persons fled away on seeing the Police party leaving behind three vehicles; a ten wheeler container truck, a pick-up vehicle and a Mahindra Thar. From the Mahindra Thar, co-accused Ankit Kumar was apprehended, who disclosed the name of the



other co-accused Suraj Kumar who used to bring illicit liquor and provide the same to different persons. From the container truck, hidden behind a detergent bag, recovery of 1615.68 litres of Indian made foreign liquor was recovered. Further recovery of 86.4 litres of illicit liquor was made from Mahindra Bolero pick-up vehicle and recovery of 43.2 litres of foreign liquor was made from Mahindra Thar vehicle. The petitioner is stated to be the owner of container truck.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Petitioner has given his truck for plying to his driver and was not knowing that driver has used the said truck for bootlegging illicit liquor in the state of Bihar. Learned counsel further submits that petitioner is having clean antecedent. Another similarly placed co-accused who is the owner of Mahindra pick-up vehicle has been granted the privilege of anticipatory bail by a learned co-ordinate Bench of this Court *vide* order dated 17.02.2026 passed in Cr. Misc. No. 8078 of 2026.

5. Learned APP opposes the submissions made on behalf of the petitioner.

6. Having regard to the facts and circumstances and



submissions made on behalf of the parties and considering the fact that petitioner is stated to be the owner and further considering the lack of substantive material to show his complicity and also considering his clean antecedent and possibility of false accusation, let the petitioner, above-named, in the event of his arrest or surrender before the Court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No. II, Muzaffarpur, in connection with **Maniyari P.S. Case No. 289 of 2025**, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned trial Court.

(Arun Kumar Jha, J)

Shahnawaz/-

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