

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33915 of 2026

Arising Out of PS. Case No.-248 Year-2025 Thana- Excise P.S. District- Saran

Saddam Quraishi @ Saddam Kuraishi S/o- Mohammad Quraishi Village -
Ratanpur, P.S- Bhagwan Bazar Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhu Mala Kumari, Adv.

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 21-05-2026 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

2. The petitioner is apprehending his arrest in connection with Sadar P.S. Case No. 248 of 2025 for the offence punishable under sections 30(a) and 32 (3) of the Bihar Excise and Prohibition Act, lodged on 27.09.2025 by the informant.

3. As per the prosecution case, there has been recovery of 42 litres of illicit country-made liquor, allegedly made from a Toto bearing Reg. No. BR04ER4468 during checking near Mukrera More under Revilganj P.S., which was being driven by Mahesh Kumar, driver of the Toto and Chhotelal Nut and the petitioner is the owner of the said Toto. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the petitioner is the owner of the siezed Toto bearing Reg. No. BR04ER4468, which was given to one Mahesh Kumar on



monthly rent of Rs. 7,500/-, to earn his livelihood. It is the case of the petitioner that Mahesh Kumar, without informing this petitioner, was involved in the seized illicit country-made liquor business for which he was apprehended along-with Chhotelal Nut by the Police and presently, both of them have been granted the privilege of bail vide Cr. Misc. No. 86195/2025 dated 15.12.2025 & Cr. Misc. 86784/2025 dated 16.12.2025.

5. Learned APP opposes the prayer submitting that there the recovery of the illicit country-made liquor has been made from the Toto and the petitioner is the owner of the vehicle in question.

6. Considering the fact that the persons who were apprehended with the seized illicit liquor have already been granted the privilege of bail and this petitioner merely being the owner of the said Toto and is no way connected with the seized illicit country-made liquor and has got no criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner, above named, be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount



each to the satisfaction of learned Exclusive Special Excise Court No. 03, Saran at Chapra in connection with aforesaid PS Case, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

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(Ajit Kumar, J)

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