

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32254 of 2026

Arising Out of PS. Case No.-25 Year-2026 Thana- KHIRHAR District- Madhubani

Md. Arbaj Son of Md. Chutkan @ Chhotakan Miya R/O Village - Baldiha,
Near SSB Camp, P.S.- Jay Nagar, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Alias Ashok Karn, Advocate
For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 13-05-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Khirhar P.S. Case No. 25 of 2026, instituted under Section 30(a) of the Bihar Prohibition & Excise Act.

3. As per the prosecution case, there is recovery of 11.415 litres of Nepali liquor from a motorcycle bearing Registration No. BR32AB 3734. Rider of the motorcycle managed to flee away.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case being owner of the said motorcycle. Petitioner was not present on the spot. Nothing has been recovered from the conscious possession of the petitioner. Petitioner had already



sold the said motorcycle to one Rupesh Kumar on 24.05.2025.
Petitioner has no criminal antecedent. Petitioner undertakes to
co-operate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for
anticipatory bail.

6. Considering the facts and circumstances of the
case, submission of learned counsel for the parties and clean
antecedent of the petitioner, in the event of arrest or surrender
before the Court below within six weeks from today, the
petitioner be released on bail upon furnishing bail bonds of Rs.
10,000/- (ten thousand) with two sureties of the like amount
each to the satisfaction of learned Exclusive Special Judge,
Excise, Madhubani in connection with Khirhar P.S. Case No. 25
of 2026, subject to the conditions laid down in Section 482 (2)
of the Bharatiya Nagrik Suraksha Sanhita (B.N.S.S.), 2023.

(Sunil Dutta Mishra, J)

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