

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34697 of 2026

Arising Out of PS. Case No.-277 Year-2022 Thana- CHHAURADANO District- East
Champaran

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Jairul Haque Mian S/O Hakim Mian R/O Vill.- Pipra, P.S.- Darpa, Dist.- East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate
For the Opposite Party/s : Mr. Anant Kumar 1, APP

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 20-05-2026 The matter has been taken up today through video
conferencing.

2. Heard learned counsel for the petitioner and learned
APP for the State.

3. The Petitioner is apprehending his arrest in
connection with Chhauradano Mahuawa P.S. Case No. 277 of
2022 registered for the offence punishable under Section 414 of
the I.P.C. and Sections 30(a), 32 and 41(1) of the Bihar
Prohibition and Excise Act.

4. As per the prosecution case, total 5.100 litres of
illicit Nepali country made liquor was recovered from a
motorcycle.

5. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case merely on the basis of being an owner of the seized motorcycle from which the alleged liquor was recovered. It has further been submitted that the petitioner was not arrested at the spot. It has also been submitted that the motorcycle of the petitioner had been stolen and, since it was an old vehicle, no immediate steps could be taken for registration of the theft case. In the meantime, the present occurrence took place, and the said motorcycle was seized along with the illicit liquor. It has also been submitted that the procedure prescribed under Section 105 of the B.N.S.S. has not been followed. Lastly, it has been submitted that the petitioner has got clean criminal antecedent.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Heard the parties and perused the record.

8. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, East Champaran, in connection with Chhauradano Mahuawa



P.S. Case No. 277 of 2022, subject to the conditions as laid down under Section 482(2) of the Bharitya Nagrik Suraksha Sanhita (B.N.S.S.)

9. This application stands allowed.

(Praveen Kumar, J)

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