

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34746 of 2026

Arising Out of PS. Case No.-65 Year-2026 Thana- JAYNAGAR District- Madhubani

Ful Mohammad @ Md. Fulo S/o Late Faruk R/o - Baira Idgah Tol, Ward no.
5, P.S - Jaynagar, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 20-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Jaynagar P.S. Case No. 65 of 2026 of registered for the offences punishable under Sections 274, 275 and 317 (5) of B.N.S and Section 30 (a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, 81 litres of Nepali country made liquor was recovered from E-rickshaw and one Mohammad Sultan was arrested who was found driving the E-rickshaw. The apprehended co-accused Mohammad Sultan named the petitioner to be the person who fled away from the place of occurrence.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It has further been submitted that except the confessional statement of co-accused naming the petitioner before police while in police



custody, there is no material against the petitioner. It has further been submitted that there is no recovery of incriminating article from the possession of the petitioner. It has further been submitted that petitioner is not the owner of the E-rickshaw in question from which the alleged recovery has been made. It has further been submitted that search and seizure as prescribed under Section 105 of B.N.S.S. has not been followed. It has lastly been submitted that petitioner is accused in one more case of similar but he is on bail.

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

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, 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-bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned in connection with Jaynagar P.S. Case No. 65 of 2026, subject to the conditions as laid down under Section 482(2) of the Bharitya Nagrik Suraksha Sanhita (B.N.S.S.)

7. This application stands allowed.

(Praveen Kumar, J)

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