

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34454 of 2026**

Arising Out of PS. Case No.-460 Year-2026 Thana- Excise P.S. District- Kishanganj

Md Nazim @ Nazim S/O Md Mahboob Alam R/O Vill.- Ambari, P.S- Pothia,  
District - Kishanganj

... .. Petitioner

Versus

The State Of Bihar Patna

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Ram Prawesh Kumar  
For the Opposite Party/s : Mrs. Shaheen Begum

**CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR**  
**ORAL ORDER**

2      19-05-2026                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. This application for anticipatory bail arises out of Madhya Nisedh P.S. Case No. 460 of 2026, giving rise to Special Case No. 465 of 2026, registered for the offence punishable under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. As per the allegation, 500 ml of beer was recovered from a motorcycle. The petitioner is alleged to be the owner of the motorcycle in question from which the alleged recovery has been made.

4. Learned counsel for the petitioner has submitted that the petitioner had given the motorcycle to his cousin brother, namely, Md. Mokir Alam, as he requested the petitioner to give the same for his personal work and hence petitioner was



not aware that the co-accused would be doing such act. It has further been submitted that at the time of search and seizure, the motorcycle was not under the control of the petitioner. It has also been submitted that the procedure prescribed under Sections 103 and 105 of the BNSS have not been followed.

5. Learned counsel for the State opposed the prayer of anticipatory bail of the petitioner.

6. Heard the parties and perused the record.

7. Considering the facts and circumstances, let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-II, Kishanganj, in connection with Madhya Nisedh P.S. Case No. 460 of 2026, giving rise to Special Case no. 465 of 2026, subject to the conditions as laid down under Section 482(2) of the Bhartiya Nagrik Suraksha Sanhita.

**(Praveen Kumar, J)**

Pawan/-

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