

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34285 of 2026

Arising Out of PS. Case No.-75 Year-2026 Thana- NASRIGANJ District- Rohtas

Md. Sultan Ahmad S/o Suleman Chaudhari R/o Village - Bikramganj, Ward
No. 29, P.S. - Bikramganj, District - Rohtas, Bihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarfraz Ahmad, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 19-05-2026 Heard the learned counsel for the petitioner and
the learned APP for the State.

2. The petitioner apprehends his arrest in connection with Nasriganj P.S. Case No.-75/26 dated on 01.03.2026 for an alleged offence punishable u/s-30(a) Bihar Prohibition & Excise 2018.

3. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant to the effect that on 28.02.2026 at around 22:00 hours, while he along with police party went for night patrolling and for conducting raid against sale and purchase of illegal liquor, he received a secret information through Prohibition and State Narcotics Control Bureau that a vehicle bearing Registration no. JH05BL2261 will pass through Nasriganj



Police Station with consignment of illegal liquor. After giving information to his Senior officials, the informant, to verify the authenticity of the information, started checking the vehicles at Dhus Bypass. At around 23:40 hours a white colour four wheeler having the same registration number as per the information received by the informant was seen coming. While the informant tried to stop the said vehicle, the driver of the vehicle started fleeing towards Nasriganj Market at a high speed and he managed to escape, after leaving the vehicle in question. Upon search of the said vehicle, total 134.250 litres of liquor was recovered.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence, rather he has been made an accused in the present case, only on the basis of suspicion. Nothing has been recovered from the possession of the petitioner and the name of the petitioner has transpired in the said case due to village politics. The petitioner has got no concern with the alleged seized liquor and he is neither the driver nor the owner of the vehicle in question. He further submits that the petitioner has got one criminal antecedent bearing Madanpur P.S. Case No. 330/25, under Section 30(a) of the Bihar Prohibition and Excise Amendment



Act, in which he is on bail.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner and submits that the petitioner has been made an accused in similar nature of case and if he would be granted the privilege of anticipatory bail, then he will indulge in the same offence in future also.

6. Having heard the rival submissions and after going through the record, it appears that total 134.250 litres of liquor was recovered from a vehicle, which does not belong to the petitioner and the petitioner was not present at the place of occurrence. Nothing has been recovered from him and his name has transpired in the present case during course of investigation. He has got one criminal antecedent of the same nature. Considering the above, let the petitioner, above named in the event of arrest/surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge – II, Sasaram, in connection with Nasriganj P.S. Case No. 75 of 2026, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023, and subject to the following condition:-



(I) That the learned court concerned shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court concerned shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J)

Ajay/Pallavi/-

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