

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37324 of 2026

Arising Out of PS. Case No.-110 Year-2026 Thana- Excise P.S. District- Katihar

Md Sajjad, Age- 47 Yrs, Male, S/o Md. Naeem, Resident of - Abid Colony,
PS - Nagar, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 01-07-2026 Heard Mr. Sanjeev Kumar Singh, learned
counsel appearing on behalf of the petitioner and Mr. Md.
Anzarul Haque Sahara, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Katihar Excise P.S. Case No. 110 of 2026 registered for the
offence punishable under Sections 30 (a) and 32(3) of the Bihar
Prohibition and Excise Act as amended up-to-date.

3. Allegation is of recovery of 54 litres illicit liquor
from a Bajaj Auto bearing Registration No. BR39 PA 4986
belonging to the petitioner, which was parked near Kamal
Chowk Road Crossing.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner has been falsely
implicated in the present case simply because the vehicle from



which the illicit liquor was recovered, is registered in his name, however, the same was being driven by his driver. The vehicle was parked near Kamal Chowk Road Crossing, which is an open place and easily accessible to anyone. Petitioner has no concern with the alleged seized liquor nor he is involved in trade of liquor in any manner. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Having considered the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR and the seizure memo, I find that the petitioner has not disclosed the name of the driver, whom he claims that he was in possession of the vehicle at the time of alleged seizure, however, he managed to flee away. The petitioner must co-operate with the investigating officer and give the name of the driver of the vehicle. In case the petitioner gives the name of the driver, the accused driver is directed to be taken into custody forthwith.

7. As the petitioner has claimed that the vehicle from which 54 litres of illicit liquor was recovered, was parked near



Kamal Chowk Road Crossing, which is an open place and easily accessible to anyone and he has clean antecedent and also the fact that the State has failed to implement its liquor policy in its true spirit, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, 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 District Court where the case is pending, in connection with Katihar Excise P.S. Case No. 110 of 2026, subject to the condition as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

9. The present bail application is disposed of.

(Purnendu Singh, J)

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