

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40946 of 2026

Arising Out of PS. Case No.-133 Year-2023 Thana- RIGA District- Sitamarhi

Md. Ataullah S/O Late Md. Manzoor R/O Vill- Chandi Rajwara, P.S- Bela,
Dist- Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Krishna Murari, Advocate

For the Opposite Party : Mr.Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 25-06-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is not named in the FIR

and apprehending his arrest in connection with Riga P.S.

Case No.133 of 2023 registered under Section 30(a) of

Bihar Prohibition and Excise Act.

3. Allegation against the petitioner is to engage in

illegal trade/manufacturing of illicit liquor, where there is

recovery of 16.2 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for

the petitioner that the name of petitioner arrayed solely for

the reason that he was the owner of the motorcycle. It is



also submitted that motorcycle of petitioner was sold to one, namely, Vipin Patel,. It is further submitted that petitioner is not in any way connected with the motorcycle nor to the liquor recovered from the motorcycle. It is also submitted that recovery of illicit liquor was not made from conscious possession of this petitioner. Explaining criminal antecedent, it is submitted that the petitioner found involved in one more criminal case, where he is on bail.

5. Learned APP opposed the prayer of anticipatory bail to the petitioner.

6. In view of aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima facie* not appears to be made from physical possession of this petitioner, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court of Exclusive Special Judge, Excise I, Sitamarhi, in connection with Riga P.S. Case



No.133 of 2023, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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