

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40959 of 2026

Arising Out of PS. Case No.-319 Year-2026 Thana- SHASTRINAGAR District- Patna

Mohammad Sarfaraz Ansari S/O Mohammad Amanullah R/O Ward no 01,
Sarkhauli, Sitamarhi, P.S- Kanhauli, District- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sailesh Kumar, Advocate

For the Opposite Party : Mr.Sanjay Kumar Pandey, 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 named in the FIR and apprehending his arrest in connection with Shashtri Nagar P.S. Case No.319 of 2026 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 180 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 petitioner was the driver of *auto*. It is



submitted that the alleged liquor does not belong to this petitioner. The recovered liquor was being carried by passenger, without the knowledge of this petitioner. It is also submitted that recovery of illicit liquor was not made from conscious possession of this petitioner. It is further argued that no independent witness was associated with the search and seizure list and the seizure witnesses were police personnel themselves. Petitioner claimed clean antecedent.

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, who is a man of clean antecedent, 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 Exclusive/Excise Court No. 2 Civil Court, Patna,



Patna Sadar, Patna at Patna, in connection with Shashtri
Nagar P.S. Case No.319 of 2026, 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)

aniket/-

U		T	
---	--	---	--

