

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43770 of 2026

Arising Out of PS. Case No.-163 Year-2024 Thana- Panapur District- Muzaffarpur

Irshad Alam @ Irshad Azam S/o Ghousul Ajam Ansari Resident of Village-
Bathua Bazar, P.S.- Qazipur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhyanand, Advocate
Mr. Sumit Kumar, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 08-07-2026 Heard Mr. Abhyanand, learned counsel appearing on
behalf of the petitioner and Mr. Shailendra Kumar, learned APP
for the State.

2. The petitioner seeks pre-arrest bail in connection
with Panapur Kariyat P.S. Case No. 163 of 2024 registered for
the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act as amended up-to-date.

3. Allegation is of recovery of 604.8 litres of illicit
foreign liquor from a vehicle bearing Registration No.
BR28AA7770 registered in the name of the petitioner.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner had already sold his vehicle
on 29.10.2024 to one Syed Hamid Wali, when a confiscation
notice was issued to him on 10.06.2025 and he had taken steps
to pay the fine subsequent to his knowledge that the vehicle has



not been transferred in the name of the buyer, who was in possession of the said vehicle but he has not been arrayed as an accused in the FIR. On these grounds, petitioner seeks to be released on pre-arrest bail.

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

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the FIR and the document brought on record by the petitioner. The sale letter duly notarized dated 29.10.2024 and the date of the FIR is 17.12.2024. The very genuinnity of the sale letter appears to be in question. Even after the sale of the vehicle, the petitioner has not taken any steps in accordance with the provision of the Motor Vehicle Act, 1988 and his involvement in smuggling/sale of prohibited item in the State of Bihar cannot be ruled out. Accordingly, I am not inclined to enlarge the petitioner on pre-arrest bail.

7. The present bail application is dismissed.

(Purnendu Singh, J)

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