

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44795 of 2026

Arising Out of PS. Case No.-455 Year-2025 Thana- BAHADURPUR District- Darbhanga

SABBU @ SIBTULLAH @ SHIBATULLAH S/O Jawed @ Jawed Akhtar
Moti @ Jawed Akhtar Resident of Village- Nimchak Naka No. 05, Senapath,
Mukti Mohalla, Purani Musafi, Police Station- Town, District- Darbhanga
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary, Advocate
For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 10-07-2026 At the outset, explanation, in terms of order dated
03.07.2026, is accepted.

2. Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

3. The accused/petitioner seeks bail in connection with
Bahadurpur P.S. Case No. 455 of 2025 registered for the
offences under Sections 30(a) of the Bihar Prohibition & Excise
Act.

4. The accused/petitioner is named in the First
Information Report and is in custody since 12.05.2026.

5. The allegation against the petitioner is to have in
possession of **270.525 litres** of illicit liquor and engaged in
illegal trading/manufacturing of illicit liquor. It is alleged that
the aforesaid illicit liquor was recovered from a Pick-Up Van



bearing Registration No. BR07GC-3786.

6. Learned counsel appearing on behalf of the petitioner submitted that Petitioner was the owner of the vehicle, which was given on rent to apprehended co-accused persons, from where illicit liquor was carrying and same was seized by police. It is submitted that petitioner had no knowledge regarding carrying of illicit liquor. It is further submitted that recovery of illicit liquor was not made from conscious physical possession of this petitioner.

7. While explaining criminal antecedent of the petitioner, it is submitted that petitioner found involved in five criminal cases, in which he is on bail.

8. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

9. In view of the 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, petitioner above-named, who is in custody since 12.05.2026, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-I,



Darbhanga/concerned court, in connection with Bahadurpur P.S.
Case No. 455 of 2025, subject to the condition as laid down
under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya
Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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