

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42994 of 2026

Arising Out of PS. Case No.-93 Year-2024 Thana- AAJAM NAGAR District- Katihar

Md. Suleman @ Suleeman, S/o Hamidur Rahman, R/o Barsoi Hatbangro
Goal Toli, P.S.- Barsoi, Dist.- Katihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-07-2026 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 Azamnagar

P.S. Case No.93 of 2024 registered under Section 30(a) of

the 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 10.200 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for

the petitioner that the seized illicit liquor was recovered from

a Bike bearing Registration No. BR39AP-3577. It is further



submitted that the petitioner's name has been surfaced in the present case solely on the ground that he is the registered owner of the seized vehicle, and not on the basis of any material demonstrating his conscious possession, involvement or complicity in the alleged offence. It is also pointed out that seizure list also appears doubtful being not supported by independent witnesses rather than by police personnel. The petitioner has one criminal antecedent, in which, 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 of note of 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 the learned Exclusive Special Excise Court



No.-II, Katihar in connection with Azamnagar P.S. Case
No.93 of 2024, 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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