

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48344 of 2026

Arising Out of PS. Case No.-117 Year-2026 Thana- KEWATI District- Darbhanga

Md. Nazir @ Nazir son of Md. Tajim Resident of Village -Hussainpur Police
Station- Bochaha District -Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Adv.

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 22-07-2026 Heard learned Advocate for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Keoti P.S. Case No. 117 of 2026, registered for the offences punishable under Sections 30(a) & 41 of the Bihar Prohibition and Excise Act.

3. Acting on a tip off regarding trafficking of illicit wine, the police conducted raid and seized three vehicles including a Bajaj Maxima and a scooty, which was found laden with goods. In course of search, total 459 litres of illicit liquor was recovered. From the Bajaj Maxima bearing Reg. No. BR-06GG-4678, altogether 36 litres illicit wine was recovered.

4. Learned Advocate for the petitioner submitted that the petitioner by virtue of being owner of Bajaj Maxima, his



name has been implicated in this case, without there being any material suggesting his complicity in the crime. In fact, the vehicle in question was being run for transportation of goods by one Ramesh Kumar and the petitioner had no knowledge or any information that his vehicle has ever been used for illicit purpose. The aforesaid facts also get strengthened by noticing the fair antecedent of the petitioner. There is other discrepancies in the search and seizure and the witnesses are none-else, but the police personnel.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submits that the use of the vehicle of the petitioner in crime clearly suggest his complicity.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the name of the petitioner has been implicated in this case only on account of he being owner of the Bajaj Maxima, from where 36 litres illicit wine has been recovered, coupled with the fair antecedent, besides the discrepancies in the search and seizure as also the lack of materials which attracts the rigors to maintain the anticipatory bail, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court



below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Speical Excise Court-I, Darbhanga in connection with Keoti P.S. Case No. 117 of 2026, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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