

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51375 of 2026

Arising Out of PS. Case No.-62 Year-2026 Thana- JAYNAGAR District- Madhubani

Md. Muslim @ Md. Moslim son of Late Md. Bilat R/o - Baldiha, Ward
No.02, P.S - Jaynagar, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Alias Ashok Karn, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Jaynagar P.S. Case No. 62 of 2026, dated 06.02.2026, lodged under Section 274, 275 & 317(5) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”) and under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 107.07 litres of illicit nepali liquor has been made, which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that nothing has been recovered from the possession of the petitioner. He also submits that the petitioner’s name has figured in the present case because he is the owner of the alleged vehicle. Furthermore, he submits that the criminal



antecedent of the petitioner is clean.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the present case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Exclusive Special Judge, Excise, Madhubani, in connection with Jaynagar P.S. Case No. 62 of 2026, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

7. It is further directed that the Trial Court shall verify the criminal antecedent of the petitioner, and in case it is found at any stage that the petitioner has concealed his criminal antecedent, the Trial Court shall take steps for cancellation of the petitioner's bail bond. However, the acceptance of the bail bond in terms of the above-mentioned order shall not be delayed for the purpose of or in the name of verification.

(Dr. Anshuman, J.)

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