IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71910 of 2026

CNR No. BRHC011024932026

Arising Out of PS. Case No.-176 Year-2024 Thana- HARLAKHI District- Madhubani

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Md. Nagir Ansari @ Md. Najir Ansari S/o Md. Kashim Ansari R/o village - Bihari Tol, Majkhotiya , Ward no. 10, P.S - Madhwapur, District - Madhubani

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar Sah, Advocate
Mr.Sumit Kumar Singh, Advocate

For the Opposite Party/s : Mr.Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 28-10-2026 Heard Mr. Bhavesh Kumar Sah, learned counsel appearing on behalf of the petitioner and Mr. Manoj Kumar, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Harlakhi P.S. Case No. 176 of 2024, registered for the offences punishable under Sections 274, 275 and 3(5) of the Bharatiya Nyaya Sanhita and Section 30(a) of the Bihar Prohibition and Excise Act, as amended up-to-date.

3. As per the allegation made in the F.I.R., 4.500 litres of Nepali country-made liquor was recovered from a bag carried by one of the persons travelling on a Hero Glamour motorcycle

bearing Registration No. BR32AM-7773. The petitioner is stated to be the registered owner of the said motorcycle.

4. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is innocent and has been falsely implicated in the present case. He submitted that the petitioner was neither present at the place of occurrence nor was he aware of the alleged transportation of liquor. The motorcycle had allegedly been borrowed by the co-accused for personal work without the petitioner's knowledge of its alleged misuse. He further submitted that the petitioner has no criminal antecedent. On these grounds, the petitioner seeks to be released on pre-arrest bail.

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

6. Having considered the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR, learned District Court is directed to call for a report from the District Magistrate, Madhubani and the District Transport Officer, Madhubani in respect of the vehicle bearing Registration No. BR32AM-7773, and if it is found that the said vehicle was not confiscated in any excise matter prior to the present F.I.R. and is not a stolen one, then in that case, the

petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from the date of report is submitted by the District Transport Officer, 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 District Court where the case is pending, in connection with Harlakhi P.S. Case No. 176 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. **The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.**

8. Accordingly, the present bail application stands disposed of.

9. Let a copy of this order be communicated to the District Magistrate, Madhubani, and the District Transport Officer, Madhubani, for taking necessary action within the time prescribed by this Court.

(Purnendu Singh, J)

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