IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77354 of 2026

CNR No. BRHC011107942026

Arising Out of PS. Case No.-549 Year-2026 Thana- Excise P.S. District- Sitamarhi

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Md. Javej S/o Mishrail R/o Vill - Ward no. 9, Nandwara Bairgania, P.s.- Bairgania, Distt.- Sitamarhi.

... ... Petitioner/s

Versus

The State of Bihar.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ankit Raj, Advocate.
For the Opposite Party/s : Mr. Shyam Bihari Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA

ORAL ORDER

2 05-11-2026 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Sitamarhi Excise P.S. Case No.549 of 2026 instituted under Sections 30(a) & 32(3) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 126 litres of illicit *Nepali saufi* liquor from an Auto bearing Registration No.BR30P8218 kept in a sack. It is alleged that accused person, namely, Mohammad Noor Mansuri who was driving the said auto was apprehended from the spot.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case due to being the registered owner of the auto in question.

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He further submits that the auto in question was being used by the co-villager of petitioner, namely, Mohammad Noor Mansoori and he misused the same, about which the petitioner had no knowledge. Learned counsel submits that petitioner was neither present on the spot nor he has any concern with the alleged seized liquor. He further submits that no incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel submits that petitioner is man of clean antecedent and he undertakes to cooperate in the investigation and trial of the case.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and the nature of allegation leveled against the petitioner as well as his clean antecedent, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon 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-II, Sitamarhi/ concerned Court in connection with Excise Sitamarhi P.S. Case No.549 of 2026, subject to the conditions as

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laid down under Section 482(2) of the B.N.S.S., 2023.

(Sunil Dutta Mishra, J)

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