

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86648 of 2025

Arising Out of PS. Case No.-193 Year-2025 Thana- KUNDWACHAINPUR District- East
Champaran

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Saddam @ Sadam Alam Son of Md. Islam @ Islam @ Mir Islam Resident of
Village- Bakhari Khajuri, P.S.- Dhaka, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ujjwal Kumar Singh

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

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Kundwa Chainpur P.S. Case No. 193 of 2025, instituted
for the offences under Section 317(5) of the Bharatiya Nyaya
Sanhita, 2023 and Section 30(a), 32 and 41(1) of the Bihar
Prohibition and Excise Act.

3. Prosecution case, in short, is that total 378 litres of
liquor was recovered from two motorcycles.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Learned counsel for the petitioner submitted that general and
omnibus allegation has been made against the petitioner. No
incriminating article has been recovered from the conscious



possession of the petitioner. The petitioner is in no manner connected with the vehicle in question or the alleged recovery of liquor. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023. It has been submitted on behalf of the petitioner that the petitioner has eight criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. The petitioner has eight criminal antecedents, hence, he does not deserve anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case, in my view, this is not a fit case for anticipatory bail, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for grant of anticipatory bail to the petitioner is, hereby, rejected.

8. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be disposed of on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

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