

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1401 of 2025

Arising Out of PS. Case No.-186 Year-2024 Thana- RAJPUR District- Rohtas

Guddu Ram, S/o Bihari Ram, R/o village - Dihari, P.S.- Rajpur, Distt.- Rohtas
... .. Petitioner

Versus

The State of Bihar
... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Chhote Lal Mishra, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 05-02-2025 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Rajpur P.S. Case No.186 of 2024 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of six liters of IMFL/country-made liquor.

4. It is submitted by learned counsel that the recovery of alleged illicit liquor was not made from physical possession of this petitioner rather the recovery of illicit liquor was made from a motorcycle, which was identified by the local Choukidar, who is witness of the seizure list. It is submitted that petitioner has given his motorcycle to his friends for some



urgent work. It is submitted that name of petitioner transpired in this case being owner of the said motorcycle. It is pointed out that petitioner is a man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submissions, as recovery of illicit liquor *prima facie* not appears to be made from physical possession of this petitioner, accordingly, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender in the court below within a period of four weeks, 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 Exclusive Special Excise Court No.2-cum-Additional District and Sessions Judge, Rohtas at Sasaram in connection with Rajpur P.S. Case No.186 of 2024, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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