

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3214 of 2025

Arising Out of PS. Case No.-129 Year-2024 Thana- HASANPUR District- Samastipur

Ashok Sah @ Ashok Kumar Sah, Son of Sri Asharfi Sah, resident of village-
Birpur, P.S.- Hasanpur, Dist- Samastipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mrs. Vaishnavi Singh, Advocate

For the Opposite Party/s : Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-02-2025 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 Hasanpur P.S. Case No.129 of 2024 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 887.610 liters of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for the petitioner that merely on the basis of suspicion, the petitioner was named with present occurrence, as he found registered owner of the pick-up van, which found carrying



illicit liquor of 887.610 liters. It is submitted that admittedly no illicit liquor has been recovered from physical possession of this petitioner. While concluding argument, it is submitted that petitioner found involved in one more criminal case, where he is on bail.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of fact as alleged illicit liquor not appears to be recovered *prima facie* 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 Special Judge Excise-01, Samastipur in connection with Hasanpur P.S. Case No.129 of 2024, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS and with further condition:-

(i) That petitioner shall not indulge in similar nature of case till the conclusion of trial, failing



which the State shall be at liberty to move
before the Trial Court itself for the cancellation
of bail bond of the petitioner.

(Chandra Shekhar Jha, J.)

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