

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2953 of 2025

Arising Out of PS. Case No.-320 Year-2024 Thana- SONBERSA District- Sitamarhi

Kyamuddin Khan @ Md. Kyauddin Khan, S/o Md. Hakim Khan Resident of
village- Marpa, PS- Kanhauli, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Advocate
For the Opposite Party/s : Mr.Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-02-2025 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioner is named in F.I.R. and
apprehending his arrest in connection with Sonbarsa P.S.
Case No. 320 of 2024 registered for the offences punishable
under Section 317(2) of BNSS, 2023 and Section 30(a) of
the Bihar Prohibition and Excise Amendment Act, 2022.

3. The allegation against the petitioner is to be
engaged in illegal trading/manufacturing of illicit liquor,
where, there is recovery of 27.900 litres of IMFL/country
made liquor from the alleged motorcycle.



4. Learned counsel appearing on behalf of the petitioner submitted that the petitioner neither connected with recovered illicit liquor nor with seized motorcycle. It is submitted that the name of this petitioner transpired in this case on the basis of disclosure made by apprehended co-accused person, namely, Md. Ambarul. It is pointed out that petitioner found involved in one more criminal case, where he is on bail.

5. Learned APP opposes the prayer of bail.

6. Considering the aforesaid facts and circumstances as recovery of illicit liquor not appears *prima facie* made from conscious physical possession of this petitioner, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail 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-I, Sitamarhi/concerned Court, where the case is pending in connection with Sonbarsa P.S. Case No. 320 of 2024, subject



to the conditions as laid down under Section 438(2) of the
Cr.P.C./482(2) of the BNSS.

(Chandra Shekhar Jha, J)

veena/-

U		T	
---	--	---	--

