

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3675 of 2025

Arising Out of PS. Case No.-1348 Year-2024 Thana- AHIYAPUR District- Muzaffarpur

Shambhu Kumar S/o- Devendra Singh Resident of village-Mustafapur Ps-
Minapur District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sagar Kumar, Adv.
For the Opposite Party/s : Mr. Shyam Bihari Singh, Adv.
Mr. Navin Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 28-03-2025 Heard the parties

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Ahiyapur P.S. Case No. 1348 of 2024 registered for the offences punishable under Section 30(a) and 41 of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 737.64 litres of IMFL/country made liquor

4. It is submitted by learned counsel appearing



on behalf of the petitioner that implication of petitioner with present case was made being owner of the vehicle bearing registration No. BR06GD7809 which found involved in carrying of illicit liquor as alleged. It is submitted that petitioner was not under knowledge regarding illegal use of his vehicle, which was in immediate possession of the driver purely engaged in his professional capacity. It is submitted that admittedly alleged recovery of illicit liquor was not made from physical possession of this petitioner, who is a man of clean antecedents.

5. Learned APP, opposed the prayer of bail.

6. In view of aforesaid factual and legal submission and by taking note of fact as recovery of illicit liquor *prima-facie* not appears to be made from the physical possession of this petitioner, where implication of petitioner appears on the exclusive note of being the owner of the alleged truck bearing registration no. BR06GD7809 found involved carrying of illicit liquor,



accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, 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 Special Judge, Excise, Court no. 1, Muzaffarpur/concerned Court, where the case is pending in connection with Ahiyapur P.S. Case No. 1348 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

Sudha/-

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

