

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 5928 of 2025

Arising Out of PS. Case No.-199 Year-2024 Thana- Excise Jhanjharpur District- Madhubani

Jeebachh Kamat @ Jibachh Kamat S/O Hari Lal Kamat R/O Village- Gidrahi
Mahadeo Math Ward No. 12, P.S- Andhramath, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagandeo Yadav, Advocate

Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-02-2025 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 Jhanjharpur Excise P.S.

Case No. 199 of 2024, registered for the offences punishable

under Sections 30(a), 32(i) and 32(3) of the Bihar Prohibition and

Excise Act (Amendment 2018).

3. The allegation against the petitioner is to be engaged

in illegal trading/manufacturing of illicit liquor, where, there is

recovery of 1.125 litres of IMFL/country made liquor from

motorcycle.

4. Learned counsel appearing on behalf of the petitioner

submitted that petitioner implicated with present recovery of illicit

liquor only for the reason that his motorcycle bearing registration

no. BR50Q4340 found carrying illicit liquor. It is submitted that

the motorcycle in issue was given to accused, who is none but the



co-villager of the petitioner in good faith for personal use. It is pointed out that admittedly illicit liquor not appears to be recovered from the physical possession of this petitioner, who is a man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. Considering the aforesaid facts and circumstances and by taking note of fact as recovery of alleged illicit liquor not appears *prima facie* to be made from physical possession of this petitioner, who is a man of clean antecedent, 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 Judge, Excise Act, Jhanjharpur, District- Madhubani/concerned Court, where the case is pending in connection with Jhanjharpur Excise P.S. Case No. 199 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)

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