

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5910 of 2025

Arising Out of PS. Case No.-477 Year-2023 Thana- ROSERA District- Samastipur

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Kisan Kumar @ Murgia S/O Shree Dayanand Prasad Resident of Village -
Dhab Muhlla Nanihal, P.S- Rosera, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh, Adv.

For the Opposite Party/s : Mr. Binod Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-02-2025 Heard the parties

2. The petitioner is not named in the F.I.R. and apprehending his arrest in connection with Rosera P.S. Case No. 477 of 2023 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 2.25 liters of IMFL/country made liquor

4. It is submitted by learned counsel appearing on behalf of the petitioner that being co-villagers and out



of acquaintance the motorcycle bearing registration no. BR 33F 1647 which found carrying illicit liquor, which belongs to this petitioner was given to one Rohit Kumar. It is submitted that the carrying of illicit liquor through motorcycle was not in knowledge of this petitioner and admittedly alleged illicit liquor not appears to be recovered from physical possession of this petitioner, who is a man of clean antecedent.

5. Learned APP, opposes the prayer of bail.

6. In view of aforesaid facts and submission and by taking note of fact as recovery of illicit liquor not appears *prima-facie* to be made from the physical possession of this petitioner who is a man of clean antecedent, 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 I,



Samastipur/concerned Court, where the case is pending
in connection with Rosera P.S. Case No. 477 of 2023,
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)

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