

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5909 of 2025

Arising Out of PS. Case No.-22 Year-2024 Thana- Roshna District- Katihar

Shekh Alam Son of Muksed R/o village- Harishchandrapur, P.S.
-Harishchandrapur, Dist. -Malda (WB)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 31-01-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Roshna P.S. Case No. 22 of 2024 arising out of G.R. No. 2816 of 2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act. .

3. The prosecution case, in short, is that total 885.250 litres of foreign liquor was recovered from Pick-up van.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the



present case. Petitioner has no knowledge and concern with the alleged recovery. Nothing incriminating has been recovered from the possession of the petitioner. It is submitted that petitioner is neither the owner nor the driver of the seized vehicle. It is further submitted that Other co-accused (Shekh Rezabul) disclosed the name of the petitioner. The petitioner bears no criminal antecedent. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted regular bail passed by this Court vide order dated 10.07.2024 in Cr. Misc. No. 48151 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the



learned court below where the case is pending/successor court in connection with Roshna P.S. Case No. 22 of 2024 arising out of G.R. No. 2816 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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