

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8113 of 2025

Arising Out of PS. Case No.-149 Year-2021 Thana- AMBA District- Aurangabad

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Taufiq @ Taufiq Alam Shekh S/O Irsad Shekh @ Irsad Hasan R/O Vill.-
Mahtwa, P.S.- Turkaulia, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamendra Prasad Singh

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 14-02-2025

Heard the parties

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Amba P.S. Case No. 149 of 2021 registered for the offences punishable under Sections 30(a) 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 2541.600 litres of IMFL/country made liquor

4. It is submitted by learned counsel appearing on behalf of the petitioner that



petitioner implicated with this case only for the reason that technically he is the owner of truck bearing registration no. BR5GB6811, chasis no. MB1A2GCD0JREX3265 and engine no. JEEZ413571. It is submitted that aforesaid truck was sold to one Motilal Sahani in year 2019 itself and when he did not paid consideration amount a complaint case was also lodged against Motilal Sahani which was registered as Complaint Case no. 1973/2021, where after examining the inquiry witnesses learned JFMC, Sadar, Motihari, pleased to issue summons against co-accused Motilal Sahani after taking cognizance. It is submitted that said Motilal Sahani further sold that truck to someone else whereafter it was seized while carrying the aforesaid illicit liquor. It is submitted that petitioner found involved in one more criminal case where he is on bail and same is of different nature.

5. Learned APP, opposes the prayer



of bail.

6. In view of aforesaid factual submission and by taking note of fact as implication of petitioner with present recovery of illicit liquor appears *prima-facie* for the technical reasons as still he is the registered owner of the truck bearing registration no. BR5GB6811, coupled with the fact that alleged liquor not appears to be recovered from the physical possession of this petitioner, 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, Aurangabad/concerned Court, where the case is pending in connection with Amba P.S. Case No. 149 of 2021, 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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