

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8120 of 2025

Arising Out of PS. Case No.-112 Year-2023 Thana- SAKRI District- Madhubani

Nandlal Thakur S/o- Vinod Thakur Resident of Village- Lehara PS- Nehra,
Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abu Bakar

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 14-02-2025 Heard the parties

2. The petitioner is not named in the F.I.R. and apprehending his arrest in connection with Sakri P.S. Case No. 112 of 2023 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 135 litres of IMFL/country made liquor

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



alleged to be found carrying illicit liquor of 135 lt. belongs to this petitioner but same was stolen by some unknown persons for which the FIR was lodged by this petitioner registered as Bahera P.S. Case No. 358 of 2023. It is submitted that for said reason only the petitioner implicated with present case. It is not a case where recovery was made from physical possession of this petitioner. It is submitted that petitioner found involved in one more criminal case of different nature where he is on bail.

5. Learned APP, opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as alleged illicit liquor not appears *prima-facie* to be recovered from physical possession of this petitioner, where implication appears prima-facie only being the owner of motorcycle found carrying illicit liquor which appears stolen three days before the occurrence, 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 Addl. Session Judge II cum Special Judge, Excise Act, Madhubani/concerned Court, where the case is pending in connection with Sakri P.S. Case No. 112 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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