

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8442 of 2025

Arising Out of PS. Case No.-835 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

Damodar Kumar, Son of Late Raghunandan Ray Resident of Village -
Ismailpur, P.S.- Hajipur Sadar, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-03-2025 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 Hajipur Sadar P.S.
Case No. 835 of 2024, registered for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioners is to be
engaged in illegal trading/manufacturing of illicit liquor,
where, there is recovery of 20 litres of IMFL/country made
liquor from the place of occurrence.

4. Learned counsel appearing on behalf of the



petitioner submitted that petitioner implicated with present case out of disclosure of apprehended co-accused person, namely, Bhola Kumar. It is submitted that out of neighbourhood acquaintance, petitioner provided his scooty bearing registration no. BR-31AV-9157 to apprehended co-accused person and it was misused for carrying illicit liquor which was not under the knowledge of petitioner. It is submitted that admittedly recovery of illicit liquor was not made from physical possession of this petitioner. It is submitted that petitioner found involved in three more criminal cases but not of same nature, where he is on bail.

5. Learned APP opposes the prayer of bail.

6. Considering the aforesaid facts and circumstances and by taking note of fact as alleged illicit liquor not appears to be recovered *prima facie* from physical possession of this petitioner, 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 Excise Court No. 1-cum-Additional District and
Sessions Judge, Vaishali at Hajipur/concerned Court, where
the case is pending in connection with Hajipur Sadar P.S. Case
No. 835 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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