

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8819 of 2025

Arising Out of PS. Case No.-607 Year-2024 Thana- SAHEBGANJ District- Muzaffarpur

Sonu Prasad, Son of Laldeo Prasad @ Laldev Prasad, resident of Village-
Madhopur Govind, P.S.-Chakia, Dist. -East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Priyesh Kumar, Advocate

For the Opposite Party/s : Mr .Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-03-2025 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Sahebganj P.S. Case No.607 of 2024 registered under Section 30(a) of the Bihar Prohibition and Excise Act.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 11.88 liters of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for the petitioner that the petitioner was not apprehended on spot



and, as such, it can be said safely that recovery of alleged illicit liquor was not made from physical possession of this petitioner. It is submitted that as the scooty of petitioner was found parked on road from where the illicit liquor was seized, he was implicated with present case being registered owner of the said scooty. It is submitted the petitioner found involved in one more criminal case of similar nature, where he is on bail.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of fact as recovery of illicit liquor *prima facie* appears doubtful from conscious physical possession of this petitioner, accordingly, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender in the court below within a period of four weeks, on 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 Judge Excise, Court No.II, Muzaffarpur in connection with Sahebganj P.S. Case No.607 of 2024, subject to the conditions as laid down under Section



438(2) of the CrPC/under Section 482(2) of the BNSS with
further condition:-

(i) That petitioner shall not indulge in
similar nature of offence till the conclusion of
trial, failing which the State shall be at liberty
to move before the Trial Court itself for the
cancellation of bail bond of the petitioner.

(Chandra Shekhar Jha, J.)

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