

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11279 of 2025

Arising Out of PS. Case No.-438 Year-2024 Thana- KUCHAIKOTE District- Gopalganj

Sonu Kumar @ Sonu Lal Prasad Son of Ramdhyan Prasad village-
Kutchaikote Ps- Kutchaikote, Ps- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Adv.

Mr. Amit Kr. Mishra, Adv.

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-04-2025 Heard the parties

2. The petitioner is not named in the F.I.R. and apprehending his arrest in connection with Kuchaikote P.S. Case No. 438 of 2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per FIR, the petitioner is said to be involved with present case as his motorcycle bearing registration no. BR28AC8253 found involved in carrying total of 72 liters of illicit liquor.

4. It is submitted by learned counsel appearing



on behalf of the petitioner that the petitioner provided his motorcycle to his co-villager for their personal work which was misused by him and as such found involved in carrying illicit liquor. It is submitted that the said fact was not in his knowledge of petitioner. While concluding arguments, it is submitted that petitioner is a man of clean antecedent and for said misuse of his motorcycle the petitioner lodged a complaint case against the co-accused person, to whom motorcycle was provided by this petitioner in his good faith out of their acquaintance.

5. Learned APP, opposed the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of fact as implication of petitioner appears *prima-facie* only being the owner of motorcycle which found carrying of illicit liquor, who is man of clean antecedent, 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. Sessions Judge IV cum Exclusive Special Excise Court No. II, Gopalganj /concerned Court, where the case is pending in connection with Kuchaikote P.S. Case No. 438 of 2024 , 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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