

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14135 of 2025**

Arising Out of PS. Case No.-5 Year-2025 Thana- MOTIPUR District- Muzaffarpur

Amlesh Rai Son of Ramlal Rai Resident of Village- Ginjas, P.S.- Jaitpur,  
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Ms. Rita Verma, Advocate

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

3      14-05-2025                      Heard learned Counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 317(5) of B.N.S. and 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the recovery is of 63.400 liters of foreign liquor from a Car bearing Registration No. BR06P-7528 and a mobile phone was also recovered from the accused who was arrested on the spot and who revealed his name as Mintu Kumar.

4. Learned counsel for the petitioner submits that no recovery has been made from his physical and conscious possession of the petitioner and his name has surfaced in this case on account of the fact that the vehicle has been registered



in his name. However, the petitioner was being used by his son Mintu Kumar saying that he was going to the hospital at Muzaffarpur for taking the mother of his friend for treatment. The petitioner has no concern with the seized liquor and he has no criminal antecedent.

5. The application is opposed by the learned APP for the State.

6. Considering the above facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise, Court No. II, Muzaffarpur, in connection with Motipur P.S. Case No. 05 of 2025, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482 (2) of the B.N.S.S., 2023 and subject to the further condition that the petitioner shall co-operate in the investigation/trial.

**(Soni Shrivastava, J)**

Raj Ranjan/-

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