

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20914 of 2025

Arising Out of PS. Case No.-316 Year-2024 Thana- JOGAPATTI District- West Champaran

Pradeep Kumar S/o Late Suresh Sah @ Suresh Jaiswal R/o Village- Lauriya,
Nawka Tola, P.S.- Lauriya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sujeet Kumar

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-04-2025 Heard the parties

2.The petitioner is named in the F.I.R. and apprehending his arrest in connection with Jogapatti P.S. Case No. 316 of 2024 registered for the offences punishable under Section 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 50.940 litres of IMFL/country made liquor.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner implicated with



present case only for the reason that he is owner of the motorcycle bearing registration no. BR 22 BE 8133 which found involved in carrying recovered illicit liquor. It is pointed out that the petitioner provided his motorcycle to co-accused out of acquaintance which was misused without knowledge of petitioner and therefore it can be said safely that the recovery was not made from the conscious physical possession of this petitioner in want of knowledge of the activities of apprehended co-accused. While concluding the argument, it is submitted that petitioner is a man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual and legal submission and by taking note of fact that, recovery of illicit liquor *prima-facie* not appears to be made from the conscious physical possession of this petitioner, who is a man of clean antecedent, accordingly above-named petitioner, 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 Special Judge, Excise II, Bettiah, West Champaran /concerned Court, where the case is pending in connection with Jogapatti P.S. Case No. 316 of 2024, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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