

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20966 of 2025**

Arising Out of PS. Case No.-500 Year-2024 Thana- LALGANJ District- Vaishali

Sahil Hussain @ Shahil Hussain S/O Ali Asgar R/O Village- Kamtauliya, P.S
and Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Bela Singh
For the Opposite Party/s : Mr.Sangeeta Sharma

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 23-04-2025 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 the F.I.R.

and apprehended his arrest in connection with Lalaganj P.S.

Case No. 500 of 2024 registered for the offences punishable

under Sections 30 (a) and 30(d) of the Bihar Prohibition and

Excise Act.

3. The allegation against the petitioner is to be

engage in illegal trading/manufacturing of illicit liquor, where,

there is recovery of 33.750 litres of IMFL/country made

liquor.



4. Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner transpired in the present case only for the reason being owner of the motorcycle bearing reg. no. BR 06 DB 9401, which was found carrying illicit liquor. It is also submitted that motorcycle in issue was given in good faith, therefore, in want of knowledge it cannot be said that recovery of illicit liquor was made from the conscious physical possession of petitioner. It is also submitted that petitioner is a man of clean antecedent.

5. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

6. In view of the facts and circumstances and by taking note of the fact as implication of petitioner appears only being owner of the motorcycle negating, prima-facie recovery of illicit liquor from his conscious physical possession, who is a man of clean antecedent, accordingly the petitioner above named, in the event of his arrest or surrender before the learned Trial Court within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two



sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 1-cum- Additional Sessions Judge, Vaishali at Hajipur/concerned Trial Court where the case is pending in connection with Lalaganj P.S. Case No. 500 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C./Section 482(2) of the BNSS.

S.Tripathi/-

(Chandra Shekhar Jha, J.)

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