

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21709 of 2025

Arising Out of PS. Case No.-2333 Year-2024 Thana- Excise P.S. District- Muzaffarpur

Shyam kumar S/o Ram Sogarath @ Sogarath Ram R/o Vill. Fanda P.S.- Paroo
Dist- Muzaffarpur

... .. Petitioner

Versus

The state of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-05-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Excise P.S. Case No. 2333 of 2024 registered for the offences punishable under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to have in possession of 1470.24 litres of illicit liquor and engaged in illegal trading/manufacturing of illicit liquor.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner neither owner nor driver of the vehicle bearing registration No. BR01GD-4112, which was carrying alleged illicit liquor. It is submitted that mere on the basis of suspicion as provided by local man/chowkidar, the name of petitioner transpired in this case, who is a man of clean



antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. In view of the aforesaid factual submissions and by taking note of the fact as *prima-facie* except suspicion nothing survives against this petitioner, coupled with the fact that recovery of alleged illicit liquor *prima-facie* not appears to be made from conscious physical possession of this petitioner, who is a man of clean antecedent, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise, Court No. II, Muzaffarpur in connection with Excise P.S. Case No. 2333 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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