

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20586 of 2025

Arising Out of PS. Case No.-496 Year-2021 Thana- KUCHAIKOTE District- Gopalganj

Aman Kumar S/O Sushil Kumar R/O Village- Bishundatpur, P.S- Kanti,
Distt.- Muzaffarpur. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jagjit Roshan, Advocate

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, APP

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 F.I.R. and apprehending his arrest in connection with Kuchaikote P.S. Case No. 496 of 2021, registered for the offences punishable under Section 30(a) and 37(b) of the Bihar Excise Prohibition (Amendment) Act, 2018.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 3.250 litres of IMFL/country made liquor from the car.

4. Considering the submission as advanced by learned counsel appearing for the petitioner and upon perusal of record, it transpires that the petitioner implicated with present case only being the owner of car bearing registration no. BR-06-CD-7548, which he provided to accused out of their acquaintance for personal use but same was misused for carrying illicit liquor, which



was not in his knowledge. It is submitted that admittedly recovery of illicit liquor was not made from physical possession of this petitioner. Petitioner is a man of clean antecedent.

5. Learned APP opposed the prayer of bail.

6. Considering the aforesaid facts and circumstances and by taking note of fact as recovery of 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 or surrender before the learned trial Court, within a period of four weeks of the order, 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 Additional District and 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. 496 of 2021, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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