

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23926 of 2025**

Arising Out of PS. Case No.-85 Year-2024 Thana- UJIYARPUR District- Samastipur

Md. Mosim son of Md. Sultan village- Ward no. 5, Kerai Dih, PS -Bibhutipur,
Dist- Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Keshav Bhardwaj, Adv.
Mr. Yash Sahay, Adv.
Mr. Nikhil Kr. Agarwal, Adv.
For the Opposite Party/s : Ms. Sucheta Yadav, APP

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

2 06-05-2025 Heard the parties

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Ujiyarpur P.S. Case No. 85 of 2024 registered for the offences punishable under Section 30(a) of the Excise Act.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 153 liters of 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 still the registered owner of the vehicle, in issue, which found involved in carrying illicit liquor. It is submitted that vehicle which is a car bearing registration no. BR-01-AN-3481 was sold by petitioner to one Pramila Devi through affidavit on 26.07.2023 but could not properly transferred as per Motor Vehicle Rule. It is submitted that for said technical reason petitioner was implicated with present case, who is otherwise a man of clean antecedent.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual and legal submission and by taking note of fact as, recovery of illicit liquor *prima-facie* not appears to be made from the conscious physical possession of this petitioner, where his implication *prima-facie* appears only being the registered owner of the vehicle as discussed aforesaid, coupled with the fact that petitioner is a man of clean antecedent, accordingly petitioner above-named, 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 Exclusive Special Judge Excise 1 Samastipur/ concerned Court, where the case is pending in connection with Ujiyarpur P.S. Case No. 85 of 2024, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

Sudha/-

U		T	
---	--	---	--

