

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23961 of 2025

Arising Out of PS. Case No.-17 Year-2025 Thana- Roshna District- Katihar

Md. Mukhtar Son of Mohammad Hakim @ Md. Hakim Resident of Village-
Sij Tola, Ward No. 9, P.S.- Manihari, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar, Adv.

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 17-04-2025 Heard learned counsel for the petitioner
and learned APP for the State.

2. The petitioner seeks bail in connection
with Roshna P.S. Case No. 17 of 2025 instituted for
the offences under Section 30(a) of the Bihar
Prohibition and Excise Act, 2018.

3. As per prosecution case, the police has
recovered total 414.03 liters of illicit foreign liquor
from the pick-up vehicle bearing Regd. No.
BR11S/3327. The petitioner was arrested on the
spot.

4. Learned counsel for the petitioner
submits that the petitioner is innocent and has



committed no offence as alleged against him and has falsely been implicated in the present case. the petitioner is the driver of the alleged vehicle but, the same does not belong to him. The alleged vehicle belongs to one Vijay Yadav alias Vijay Boss on whose instance, the petitioner was driving the same. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized liquor. The petitioner was not aware of the contents of the material loaded in the alleged vehicle. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 19.02.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and



circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Roshna P.S. Case No. 17 of 2025.

(Rudra Prakash Mishra, J)

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