

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22338 of 2025**

Arising Out of PS. Case No.-22 Year-2024 Thana- Roshna District- Katihar

Abdul Rahman @ Shekh Abdul Rahman @ S.K Rahman S/o Shekh Abdul  
Rahim R/o - Tetul Bari, Harishchandrapur, P.S - Harishchandrapur, District -  
Malda, W.B

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rabi Bhushan Prasad, Adv.

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

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

ORAL ORDER

2      04-04-2025                      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. 22 of 2024 (G.R. No. 2816 of 2024) instituted for  
the offences under Section 30(a) of the Bihar Prohibition and  
Excise (Amendment) Act, 2018.

3. As per prosecution case, the police has recovered  
total 885.250 liter illegal foreign liquor from the Pickup bearing  
Regd. No. WB73B9970.

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.  
He further submits that nothing incriminating has been



recovered from the conscious possession of the petitioner. The petitioner is neither owner nor driver of the alleged Pickup vehicle. The name of the petitioner has transpired in this case on the basis of the confessional statement of the co-accused Shekh Rezabul before the police which has no evidentiary value in the eye of law. The petitioner has no concern with the seized liquor. 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 04.03.2025 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Shekh Alam and Md. Rezabul @ Shekh Rejabul have already been granted bail by this Court vide orders dated 31.01.2025 and 10.07.2024 passed in Cr. Misc. Nos. 5909 of 2025 & 48151 of 2024 respectively.

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

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner, the petitioner having no criminal antecedent as also the prayer for bail being based on parity, 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. 22 of 2024 (G.R. No. 2816 of 2024).

**(Rudra Prakash Mishra, J)**

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