

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33751 of 2025

Arising Out of PS. Case No.-103 Year-2025 Thana- LADANIA District- Madhubani

Md. Javed @ Md. Juber @ Md. Javed S/O Md. Aalam Village- Mahua,
Godamtol, Ward No. 03, Post Office- Mahtha, Police Station- Ladaniya,
District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Kumar Gupta, Advocate Mr. Kanchan Jha, Advocate Mr. Shubham Kumar, Advocate Mr. Ankit Raj, Advocate
For the Opposite Party/s	:	Mr. Shailendra Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 27-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 274 and 275 of the B.N.S. and Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022 .

3. Perusal of the first information report and the seizure list would go to show that total 561.6 liters of foreign liquor is said to have been recovered from a Scorpio vehicle, which was driven by the petitioner, who was arrested on the spot.

4. It is submitted by learned counsel for the petitioner that the petitioner was only driver of the said vehicle and not the



owner. It is further submitted that the petitioner is a contractual driver on daily wage basis and was driving the said vehicle at the instruction of his owner without knowing the contents ladden in the vehicle. There is violation of the mandatory provisions of the search and seizure as there is no independent witness to the seizure list. It is also submitted that the charge-sheet has been submitted in this case. Petitioner has no criminal antecedent and has been languishing in custody since 26.03.2025.

5. Taking into consideration the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Ladaniya P.S. Case No. 103 of 2025.

(Soni Shrivastava, J)

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