

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33207 of 2025

Arising Out of PS. Case No.-34 Year-2025 Thana- KARJAIN District- Supaul

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Bipin Kumar S/o Late Rajendra Mehta Resident of village - Lalpur, Ward No. 13, Police Station - Bhimnagar, Distt- Suaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun .

For the Opposite Party/s : Ms.Meena Singh

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-05-2025 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 the F.I.R. and apprehended his arrest in connection with Karjain P.S. Case No. 34 of 2025 registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to be engage in illegal trading/manufacturing of illicit liquor, where, there is recovery of 16.500 litres of IMFL/country made liquor.

4. Learned counsel appearing on behalf of the



petitioner submitted that recovery of alleged illicit liquor was made from the premises of one Shivram Sutihar to whom petitioner provided motorcycle in good faith being friend/co-villagers. It is submitted that implication of petitioner appears prima-facie only for the reason being owner of alleged motorcycle, which found involved carrying illicit liquor. It is submitted that misuse of motorcycle by co-accused Shivram Sutihar was not in the knowledge of petitioner and, therefore, recovery cannot be said to be made from the conscious physical possession of petitioner, who is a man of clean antecedent.

5. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

6. In view of aforesaid facts and circumstances and by taking note of the fact as recovery of illicit liquor prima-facie not appears to be made from the conscious physical possession of this petitioner, accordingly the petitioner above named, in the event of his arrest or surrender before the learned Trial Court within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise, Court No. 2, Supual/concerned Trial Court where the case is pending in connection with Karjain P.S. Case No. 34 of 2025 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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