

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47195 of 2025

Arising Out of PS. Case No.-228 Year-2022 Thana- Excise P.S. District- Kishanganj

Mojibur Rahaman @ Mojibur Rahman S/o Manjur R/o Vill- Singhia
Chakandra, Thana- Kochadhaman, District- Kishanganj

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 30-07-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Madya Nisedh P.S. Case No. 228 of 2022 giving rise to Special Case No. 1139 of 2022 registered on 08.10.2022 for the offences punishable under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per prosecution, total recovery of 650 ml illicit liquor from a motorcycle is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. He has been implicated in the present case solely on the ground that he is the registered owner of the motorcycle from which the



alleged recovery is said to have been made. In fact, the said motorcycle was taken by his cousin without his knowledge, and the petitioner is completely unaware of any involvement in the alleged offence. The petitioner undertakes not to repeat such an act in the future. It is further submitted that the petitioner has a clean criminal antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the antecedent of the petitioner is clean.

6. In the facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) as mentioned in Section 2(1) (d) of the Bharatiya Nagrik Suraksha Sanhita, 2023 to the satisfaction of the Exclusive Special Judge, Excise-II, Kishanganj, in connection with Madya Nisedh P.S. Case No. 228 of 2022 giving rise to Special Case No. 1139 of 2022, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

Ashwini/-

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