

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62383 of 2025

Arising Out of PS. Case No.-754 Year-2023 Thana- TAJPUR District- Samastipur

Md. Parwez Md. Asgar R/o Vill Harlal Dih Raod, Shamsheer Nagar, Hameed
Nagar, P.S.- Jharia, Distt- Dhanbad, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raja Ram Mishra, Adv.

For the Opposite Party/s : Mr.Mukesh Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Tajpur (Waini O.P.) P.S. Case No. 754 of 2023, registered for the offences under Section 30(a), 41(2)(1) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, on information being received, a pick-up van was intercepted and co-accused driver was apprehended. From search of the van recovery of 873 litre of foreign litre was made. The name of the petitioner transpired during investigation as owner of the vehicle.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel further submits



that the petitioner is owner of the vehicle and nothing incriminating has been recovered from person or possession of the petitioner. The petitioner did not direct his driver to transport liquor in the vehicle but the driver misused his position and transported illicit liquor for his personal benefit without permission of this petitioner. The petitioner is having clean antecedent and he is in custody since 12.07.2025 and he has no criminal antecedent.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the fact that the petitioner is owner of the vehicle and co-accused driver was apprehended from the spot and further considering his period of custody and clean antecedent of the petitioner, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise-II, Samastipur/concerned court, in connection with Tajpur (Waini O.P.) P.S. Case No. 754 of 2023, subject to the condition laid down under Section 480(3) of the BNSS and other following



conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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