

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62513 of 2025

Arising Out of PS. Case No.-387 Year-2021 Thana- ROSERA District- Samastipur

Madan Kumar S/O Late Bhatri Mandal Resident of Village- Pura, P.S.-
Hathauri, Dist.- Samastipur.

... .. Petitioner

Versus

The State of Bihar Patna

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sarbottam Kumar Sarkar, Advocate

For the Opposite Party/s : Mr.Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-09-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Rosera
P.S. Case No. 387 of 2021 registered for the offences under
Sections 272, 273, 34 of the Indian Penal Code and section
30(a) of Bihar Prohibition and Excise Act.

3. The petitioner is not named in the F.I.R and in
custody since 22.07.2025.

4. As per FIR, total 1746.690 litres of illicit liquor was
recovered from Pick-Up Van bearing registration no.
BR07GB-5216.

5. Learned counsel appearing on behalf of the
petitioner submitted that petitioner was implicated in the



present case only for the reason that he was the registered owner of aforesaid Pick-Up Van. It is submitted that admittedly recovery of illicit liquor was not made from conscious physical possession of this petitioner. It is pointed out that nothing transpires during investigation which may suggest that carrying of consignment was within the knowledge of this petitioner.

6. While concluding argument, it is submitted that petitioner is a man of clean antecedent.

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

8. In view of the aforesaid factual submission as the recovery of illicit liquor *prima facie* not appears to be made from physical possession of the petitioner, coupled with the fact that petitioner remains in custody since 22.07.2025, accordingly, petitioner, above named, is directed to be released on bail in connection with Rosera P.S. Case No. 387 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-1,



Samastipur/ concerned court, subject to the conditions as
mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Rajeev/-

U		T	
---	--	---	--

