

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77106 of 2025

Arising Out of PS. Case No.-86 Year-2025 Thana- Roshna District- Katihar

Shekh Barik S/o Shekh Sultan R/o village - Sahanagar, P.S - Roshna, District
- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate

For the Opposite Party/s : Mr. Meena Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 15-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Roshna
P.S. Case No. 86 of 2025, instituted for the offences punishable
under Sections 30(a), 41 and 47 of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that 113.60 liters
liquor was recovered from auto and the petitioner was
apprehended on spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got



no concern with the alleged recovery of liquor. Learned counsel for the petitioner also submits that the petitioner is owner and driver of the auto in question. It is further submitted that the vehicle is a public transport and he has got no knowledge with regard to the nature of goods that who has kept the same in his vehicle. The petitioner is in custody since 04.09.2025 and has got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Roshna P.S. Case No. 86 of 2025.

(Rudra Prakash Mishra, J)

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