

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86179 of 2024

Arising Out of PS. Case No.-111 Year-2024 Thana- SHIVSAGAR District- Rohtas

Pintu Choudhary, Male, aged about 32 years, Son of Muneshwar Choudhary,
Resident of Village- Gijwahi P.S- Sasaram (M), District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sadanand Roy, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

2 18-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Shivsagar P.S. Case No. 111 of 2024 instituted for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise (Amendment) Act.

3. As the prosecution case, 225 litres country made
liquor and 24 liters of foreign liquor were recovered for while
colour Hyundai car bearing Registration No. JH-01-X-5011.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case only on the basis of suspicion. He further submits that
petitioner is not named in the FIR and nothing has been



recovered from the conscious possession of the petitioner. He next submits that the petitioner was neither present at the spot nor involved in the alleged illegal trading of liquor. He lastly submits that petitioner has been made accused only on the basis of being registered owner of Hyundai Car bearing Registration No. JH-01-X-5011.

5. Learned APP for the State has opposes the prayer for bail.

6. From perusal of the FIR and also perused the impugned order dated 29.10.2024 passed by the learned Exclusive Special Excise Court No. 2-cum-District and Additional Sessions Judge, Rohtas at Sasaram, it appears that petitioner is not named in the FIR but the owner of the seized car from which recovery has been made. The allegation against the petitioner is that he has involved in the illegal trade of liquor along with co-accused and the allegation is very serious still the investigation is pending against him. *Prima facie*, it also appears that the petitioner is involved in transportation and sale of liquor.

7. Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties as well as involvement of the petitioner in the alleged commission



of offence, I am not inclined to grant bail to the petitioner.

8. Accordingly, the application stands dismissed.

(Ramesh Chand Malviya, J)

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