

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3177 of 2025

Arising Out of PS. Case No.-211 Year-2024 Thana- BEGUSARAI TOWN District- Begusarai

Ganga Prasad S/o Ramesh Mehto @ Ramesh Mahto R/o Village- Kiratpur,
Ward No.-03, P.S.-Ishapur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Onkar Nath, Adv.

For the Opposite Party/s : Mr. Satyendra Prasad, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 04-02-2025 Heard the parties.

2. The accused/petitioner is not named in the F.I.R. and apprehending his arrest in connection with Nagar (Begusarai) P.S. Case No. 211 of 2024 registered for the offences punishable under Sections 30(a), 32(2), 41(1) of of Bihar Prohibition and Excise (Amendment) Act, 2022.

3. The Auto/three wheeler of petitioner appears in accused column list of FIR i.e., through its registration no. BR09R-2197. Allegation against the petitioner is to involve in illegal trading of illicit liquor/alcoholic substance which was prohibited in the State through Bihar Prohibition and Excise Act, 2016, where during raid 736 bottle each of 100 ml of



Relax Cof-J seized from the three wheeler/auto.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the implication of this petitioner in present case was made due to his three wheeler/auto from where alleged cough syrup was recovered. It is submitted that the cough syrup was manufactured by known pharmaceutical company, where the compositions of the syrup was not in knowledge of the petitioner who was the owner of the vehicle that same is prohibited under the Act as aforesaid. It is submitted that apparently alleged recovered of cough syrup was not made from physical possession of this petitioner who is a man of clean antecedent.

5. Learned APP, opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as alleged cough syrup not appears to be made from the physical possession of the petitioner, who is a man of clean antecedent, accordingly, petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court no. 1, Begusarai/concerned Court, where the case is pending in connection with Nagar (Begusarai) P.S. Case No. 211 of 2024 , subject to the conditions as laid down under Section 438(2) of the Cr.P.C/ Section 482(2) of BNSS, with further condition:-

(i) That accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(Chandra Shekhar Jha, J)

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