

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.913 of 2025

Arising Out of PS. Case No.-282 Year-2022 Thana- DAGARUA District- Purnia

Sukuruddin S/O Abdul Roshid @ Rasid @ Rosid Resident of Goalpokhar PS-
Chakulia District- Uttar Dinajpur West Bengal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 28-01-2025 Heard the parties.

2. The accused/petitioner is not named in F.I.R. and apprehending his arrest in connection with Dagarua P.S. Case No. 282 of 2022, registered for the offences punishable under Section 30(a), 41, 47 of the Bihar Prohibition and Excise Act.

3.The allegation against the petitioner is to engaged his pickup van bearing registration no. WB91-6336 for carrying of illicit liquor, which is prohibited in State and where during raid a total of 118.8 litres of Indian made foreign liquor alleged to be recovered from the pickup van of the petitioner.

4. Learned counsel appearing on behalf of



the petitioner submitted that admittedly no illicit liquor was recovered from the physical possession of this petitioner and his implication appears only for the reason that he was found registered owner of the pickup van bearing registration no. WB91-6336. It is submitted that during investigation nothing transpires which may suggest *prima facie* that being owner of the pickup van petitioner was under knowledge that his pickup van was engaged for carrying illicit liquor and, therefore, it can be said safely that the implication of the petitioner was for mere technical reason being owner of the pickup van in issue. While concluding the argument, it is submitted that petitioner is a man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. Considering the aforesaid facts and circumstances as no illicit liquor appears to be recovered from physical possession of this petitioner, who is a man of clean antecedent, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial



Court, within a period of four weeks of the order, 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, Purnea/concerned Court, where the case is pending in connection with Dagarua P.S. Case No. 282 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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