

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1398 of 2025

Arising Out of PS. Case No.-725 Year-2024 Thana- KATIHAR NAGAR District- Katihar

Md. Bugul @ Faiyaz Alam, Son of Gaffar Miyan, Resident of Village-
Ranighat, P.S. -Sahayak, Dist- 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. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 05-02-2025 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Katihar Sahayak P.S. Case No.725 of 2024 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 10 liters of IMFL/country-made liquor.

4. It is submitted by learned counsel that the recovery of alleged illicit liquor was made from open place and this petitioner was named with present recovery of illicit liquor without having any connecting materials, rather on the basis of suspicion as raised by local Choukidar. It is pointed out that



petitioner found involved in one more criminal case, which is of a different nature, where petitioner is on bail.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submissions, as recovery of illicit liquor *prima facie* not appears to be made from physical possession of this petitioner rather from an open place, which is accessible by general public, accordingly, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender in the court below within a period of four weeks, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge, Exclusive Excise, Court No.2, Katihar in connection with Katihar Sahayak P.S. Case No.725 of 2024, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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