

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1186 of 2025**

Arising Out of PS. Case No.-305 Year-2023 Thana- KOCHAS District- Rohtas

Arif Khan @ Md. Arif Khan Son of Late Nesar Khan Village -Akhiri, Ps-  
Nuown, Dist- Kaimur,Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Aquaib Khan, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND  
MALVIYA**

ORAL ORDER

2      14-02-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with Kochas  
P.S. Case No. 305/2023 registered for the offences punishable  
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there was alleged recovery  
of 511.56 liters foreign liquor from the vehicle in question.

4. Learned counsel for the petitioner submits that  
petitioner is innocent and has falsely been implicated in this  
case. Nothing has been recovered from the conscious possession  
of the petitioner. It is next submitted that petitioner is neither  
driver nor owner of the vehicle. It is further submitted that co-  
accused has already granted bail by the Co-ordinate Bench of



this Court *vide* order dated 22.02.2024 passed in Cr. Misc. No. 10905 of 2024. It is also submitted that petitioner is in judicial custody since 06.12.2024.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, materials on record, petitioner is neither driver nor owner of the vehicle, co-accused have already granted bail by this Court and other Co-ordinate Benches of this Court and submissions made on behalf of the petitioner, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned special Judge Excise, Rohtas at Sasaram in connection with Kochas P.S. Case No. 305/2023.

**(Ramesh Chand Malviya, J)**

Mayank/-

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