

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 8850 of 2025

Arising Out of PS. Case No.-13 Year-2022 Thana- NADI P.S. District- Patna

Sonu Ojha @ Sonu Kumar Ojha S/o Jitendra Ojha R/o Village- Ishmilpur,
P.S.- Arwal, District- Arwal.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-03-2025 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioner is named in F.I.R. and
apprehending his arrest in connection with Nadi P.S. Case No.
13 of 2022, registered for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2022.

3.The allegation against the petitioner is to be
engaged in illegal trading/manufacturing of illicit liquor,
where, there is recovery of 400 ml. of IMFL/country made
liquor from the tempo.



4. Learned counsel appearing on behalf of the petitioner submitted that the alleged recovery of 400 ml. of illicit liquor was made from three wheeler owned by this petitioner. It is submitted that being public carrier, the vehicle in issue was accessible by general public and, therefore, it can be said safely that recovery of illicit liquor was not made from conscious physical possession of this petitioner, who is a man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. Considering the aforesaid facts and circumstances and by taking note of fact as recovery of illicit liquor appears to be made from a public carrier accessible by general public, *prima facie* doubting recovery of same from conscious 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 Special Judge Excise,



Patna City/concerned Court, where the case is pending in connection with Nadi P.S. Case No. 13 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)

veena/-

U		T	
---	--	---	--

