

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3005 of 2026

Arising Out of PS. Case No.-48 Year-2022 Thana- RAUTA District- Purnia

M.R. Mustafa S/O Late Md. Suleman Resident of Prem Nagar, ward no. 14,
Hayatpur, Post- Chandradehi, P.S.- Araria, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md Fazle Karim

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-02-2026 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Rauta

P.S. Case No. 48 of 2022 registered for the offences under

Sections 272 and 273 of the IPC and Section 30 (a) of the

Bihar Prohibition and Excise Act.

3. The petitioner is named in the F.I.R. and is in

custody since 09.12.2025.

4. The allegation against the petitioner is to be

engage in illegal trading/manufacturing of illicit liquor, where,

there is recovery of 181.995 litres of IMFL/country made

liquor.



5. Learned counsel appearing on behalf of the petitioner submitted that petitioner implicated with the present case only being the owner of the vehicle from where illicit liquor was recovered. It is submitted that nothing transpired during the course of investigation, which may suggest that petitioner was under knowledge *qua* carrying consignment of illicit liquor. While concluding the argument it is submitted that petitioner is a man of clean antecedent and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP, opposes the prayer for bail.

7. In view of the facts and circumstances as mentioned above as recovery of illicit liquor prima-facie not appears to be made from the conscious physical possession of this petitioner, where implication appears only being owner of the vehicle which found carrying illicit liquor, coupled with the fact as petitioner remains in custody since 09.12.2025, accordingly, petitioner, above named, is directed to be released on bail in connection with Rauta P.S. Case No. 48 of



2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge (Excise-02), Purnea/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./Section 480(3) of the B.N.S.S.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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