

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91660 of 2025

Arising Out of PS. Case No.-209 Year-2022 Thana- BAUNSI District- Banka

Robin Kumar S/o Sri Jai Govind Prasad Resident of Mohalla- Gosain Tola,
P.O and P.S- Patliputra, and District-Patna Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harshit Griyaghey

For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 09-01-2026 Heard the parties

2. The petitioner is not named in the F.I.R. and apprehending his arrest in connection with Bausi P.S. Case No. 209 of 2022 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 8128.8 litres of IMFL/country made liquor.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the recovery was made from two trucks bearing registration no. JH 19 A 1848 and JH 02 N



017, petitioner is not connected in any manner with alleged vehicles, where illicit liquor was recovered. Petitioner is neither owner nor the driver of the truck and he was not even named in the FIR. It is submitted that recovery is not made from conscious physical possession of the petitioner. It is further submitted that similarly situated co-accused has already granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 19329 of 2023 vide order dated 15.05.2023. While concluding arguments, it is submitted that petitioner found involved in one more criminal case, where he is on bail.

5. Learned APP, opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact, as recovery of illicit liquor has not been made from the conscious physical possession of the petitioner, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, 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 Spl. Excise Court 1, Banka /concerned Court,
where the case is pending in connection with Bausi P.S. Case
No. 209 of 2022, subject to the conditions as laid down under
Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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