

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73776 of 2019

Arising Out of PS. Case No.-83 Year-2019 Thana- SIKTI District- Araria

IZABUL, Son of Dabir Sk. Dabir @ Badlu, Resident of Village - Gadhakat,
P.S.- Sikty, District - Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Mr. Ganesh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-11-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 30(a), 38, 41 and 45 of the Bihar Prohibition and Excise Act, 2016.

As per the allegation in the FIR, 162 litres of Nepali liquor was recovered. One co-accused Mustaque was caught by the police personnel who in his confession has given the name of five other accused including this petitioner.

It is submitted by learned counsel for the petitioner that neither the petitioner was caught at the place of occurrence nor any incriminating article was recovered from possession of the petitioner. Besides the confessional statement of co-accused before police, there is no other material against the petitioner.

In view of the facts and circumstances as stated



hereinabove, the Court is inclined to grant bail to the petitioner.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail 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 2nd Additional District and Sessions-cum-Special Judge, Araria in connection with Special Case No. 746 of 2019 arising out of Sikty Police Station Case No. 83 of 2019, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Partha Sarthy, J)

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