

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 19173 of 2020

Arising Out of PS. Case No.-122 Year-2020 Thana- AHIYAPUR District- Muzaffarpur

MD. SIRAJ Son of Md. Aziz @ Aziz Miyan Resident of Village - Akbarpur,
P.S.- Ahiyapur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Kumar, Advocate

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 08-06-2020 Heard learned counsel for the petitioner and learned APP for the State through video conferencing.

The petitioner who is in custody since 4.2.2020 has filed the instant application for grant of regular bail in connection with Ahiyapur P.S. Case no. 122 of 2020 registered under sections 272, 273, 290 and 34 of the Indian Penal Code and sections 30(a), 37(b) and 36 of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, different amounts of illicit liquor was recovered from different accused persons. It is stated that 1.8 litre was recovered from the possession of the petitioner.

It is submitted by learned counsel for the petitioner that the allegation of recovery of liquor from the petitioner is false and concocted. He has no criminal antecedent and is in custody since 4.2.2020.

The application for bail is opposed by learned APP for the State.



Having heard learned counsel for the parties and taking into consideration the quantity of recovery together with the petitioner being in custody since 4.2.2020 and having no criminal antecedent, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Ahiyapur P.S. Case no. 122 of 2020 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Muzaffarpur.

(Partha Sarthy, J)

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