

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17424 of 2021**

Arising Out of PS. Case No.-103 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Banka

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SUBHANI MIYAN @ SAMANI MIYAN son of SABERA BIBI RESIDENT
OF VILLAGE-BIRAJPUR, PS-PALJORI, DISTRICT-DEOGHAR
(JHARKHAND)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 13-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, 115.25 litres of illicit liquor was recovered from a tempo.

It is submitted by learned counsel for the petitioner that from the statement of the driver of the tempo itself it would transpire that the illicit liquor belongs to one Indradeo Singh. The petitioner has been falsely implicated in the case. He was merely a passenger in the tempo. He has no concern with the seized liquor or the tempo in question. The petitioner is in



custody since 6.12.2020 and has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner not having any criminal antecedent and having remained in custody for more than 8 months, the Court directs the petitioner to be enlarged on bail in connection with Excise Complaint Case no. 103 of 2020 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 Additional Sessions Judge II, Banka.

(Partha Sarthy, J)

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