

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37418 of 2020

Arising Out of PS. Case No.-190 Year-2018 Thana- SAKRI District- Madhubani

MD JAMAL SON OF MD NAZIM, RESIDENT OF VILLAGE - FAKRAM
TOLA, SAKRI, P.S. - SAKRI, DIST – MADHUBANI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate

For the Opposite Party/s : Mr. Md. Mustaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 02-02-2021 Heard Mr. Shailendra Kumar Jha, learned Counsel
for the petitioner and Mr. Md. Mustaque Alam, learned
Additional Public Prosecutor for the State.

At the very outset, learned counsel for the petitioner
is permitted to make necessary correction in the prayer portion
of this application.

This application, for grant of regular bail, arises
out of Sakri Police Station Case No. 190 of 2018,
corresponding to G.R. No.2045 of 2018, disclosing offences
under Sections 272, 273 of the Indian Penal Code and Section
30(a) of Bihar Prohibition Excise Act, 2016.



The allegation, as per the First Information Report is that a total quantity of 44.70 litres of Nepali Soufi liquor were recovered from the parti land of Md. Inayat.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case. Learned counsel next submits that illicit liquor has not been recovered from the possession of the petitioner and the same has been recovered from the parti land of one Inayat Ali, who is having no connection with the petitioner. Learned counsel next submits that petitioner is in custody since 11.08.2020.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that no illicit liquor has been recovered from the conscious possession or the premises belonging to the petitioner and he is in custody since 11.08.2020, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, Md. Jamal, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Session Judge-II-cum-Special Judge, Excise Act, Madhubani, in connection with Sakri



Police Station Case No. 190 of 2018, corresponding to G.R.
No.2045 of 2018.

(Anil Kumar Sinha, J.)

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