

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7265 of 2022

Arising Out of PS. Case No.-366 Year-2021 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

MD. SADDAM Son of Md. Vazir Miya @ Md. Wazeer Resident of Village
Bhagwanpur Chatti, P.S. - Sadar, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Udbhav

For the Opposite Party/s : Mr.Syed Mojibur Rahman

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 26-05-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the Stamp Reporter within one
month.

Heard learned counsel for the petitioner and the learned
APP for the State.

This is an application for regular bail on behalf of the
petitioner for the offences alleged under sections 272, 273 of the
Indian Penal Code and section 30(a)/36, 41(1) of Bihar Prohibition
and Excise Act as well as sections 25(i-b)a, 35 of the Arms Act.

As per allegation, the police got confidential information
that co-accused Bacchu Mian along with his tenant Md. Salam had
stored liquor in his house. The police raided the house of Bacchu
Mian and arrested Md. Salam while Bacchu Mian fled away. On
search, 1.800 liters of foreign liquor and one country made pistol was



recovered from their house and from upper floor of the house of Bacchu Mian 9.825 liters of foreign liquor was recovered.

Learned counsel for the petitioner has submitted that the petitioner was not arrested on the spot and his name has figured in the confessional statement of co-accused. Although there is one case against the petitioner that is of similar nature but the petitioner is in custody since 11.12.2021 and co-accused (Bacchu Mian) on whose house alleged liquor recovered has been granted bail vide order dated 5.5.2022 passed in Cr. Misc. no. 18227 of 2022.

Considering the period of custody of the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Exclusive Special Excise Court No. I, Muzaffarpur in connection with Kazimohammadpur P.S. Case no. 366 of 2021, subject to the following conditions:-

1. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
2. At the time of furnishing bail bond, the petitioner shall file an affidavit to the effect that he shall not indulge himself in future in the similar type of offence. If it is found so, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the



petitioner within the stipulated time mentioned hereinabove, failing
which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

s.hassan/-

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