

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11501 of 2022**

Arising Out of PS. Case No.-259 Year-2021 Thana- CHAKAI District- Jamui

ISHMAIL MIYAN @ ISHMAIL SAH S/o Salim Miyan @ Md. Salim Sah
R/o village- Maheshi, P.S.- Sultanganj, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 11-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner seeks bail in connection with Chakai
P.S. Case No. 259 of 2021 instituted for the offences under
Sections 272 and 273 of the Indian Penal Code read with
Sections 30(a) and 41 of the Bihar Excise Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 10.01.2022, charge-sheet has been
submitted in the case and has antecedent of one case.

Allegation is of recovery of 138 litres of liquor from a
Hyundai car.

Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot and his name came in
the confessional statement of co-accused which has no



evidentiary value.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted in the case and was not arrested from the spot, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 2,000/- (Rupees Two Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge, Jamui in connection with Chakai P.S. Case No. 259 of 2021.

(Satyavrat Verma, J)

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