

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12760 of 2022

Arising Out of PS. Case No.-21 Year-2021 Thana- JOKIHAT District- Araria

Nauman @ Md Noman @ Numan, Son of Md. Kafil, Resident of Village-
Gayaspur Ward No.02, Main Ram Nagar, P.S.- Palasi, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mrs.Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
Jokihat P.S. Case No. 21 of 2021, giving rise to Special Case
No. 58 of 2021 instituted for the offence under Section 30(a) of
the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the
petitioner is in custody since 01.11.2021, charge-sheet has been
submitted and has antecedent of one case and allegation is of
recovery of 159 litres of liquor from an *Auto Rickshaw*.

Learned counsel for the petitioner submits that
petitioner was not arrested on the spot and has been falsely
implicated in the present case. His name has been transpired on
the basis of confessional statement of co-accused Md. Akbar Ali
@ Mitthu which has no evidentiary value. Petitioner is the
driver of the said vehicle.



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

Considering the fact that the petitioner is in custody, charge-sheet has been submitted and was not arrested on the spot, let the petitioner above named 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 Exclusive Special Judge Excise-II, Araria in connection with Jokihat P.S. Case No. 21 of 2021, giving rise to Special Case No. 58 of 2021.

(Satyavrat Verma, J)

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