

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14976 of 2022

Arising Out of PS. Case No.-339 Year-2019 Thana- JOKIHAT District- Araria

MD. WARIS S/o Mojeeb R/o village- Choukta, P.S.- Mahalgaon (Jokihat),
District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-03-2022 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 bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 31.01.2022, charge-sheet has been
submitted and has antecedent of two cases.

Allegation is of recovery of 8 litre of liquor from a
plastic bag.

Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot and name of the
petitioner came in the confessional statement of co-accused,



namely, Md. Tanweer.

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 from the spot and name of the petitioner came in the confessional statement of co-accused which has no evidentiary value in the eye of law, let the petitioner above named be released on bail on furnishing bail bond of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Jokihat (Mahalgaon) P.S. Case No. 339 of 2019 corresponding to Spl. Case No. 1137 of 2019.

(Satyavrat Verma, J)

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