

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67931 of 2021

Arising Out of PS. Case No.-469 Year-2021 Thana- PURNEA SADAR District- Purnia

MOHAMMAD NOOR ISLAM @ NOOR ISLAM @ MUNNA BHAI Son of
Md. Serjan Ali @ Sherjan Ali Resident of Village - Shirpur, Dangraha, P.S.-
Baisi, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar

For the Opposite Party/s : Mrs.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-06-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 272, 273 of the Indian
Penal Code and under Section 30 (a) of the Bihar Prohibition &
Excise Act.

As per the prosecution case, 1338.125 liters of foreign
liquor has been recovered from a truck and name of petitioner
has transpired in this case on the basis of confessional statement
of driver of the truck, who was apprehended on the spot.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. No incriminating article has been recovered from the
conscious possession of the petitioner and he is no way



concerned with the alleged recovery. Petitioner is neither driver nor owner of the vehicle in question. Petitioner has got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise Act, Patna in connection with Sadar PS case No.469/ 2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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