

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8940 of 2023

Arising Out of PS. Case No.-868 Year-2022 Thana- ARA NAGAR District- Bhojpur

PHIROJ ALAM S/O MD. KAMARUDIN ALAM Resident of Village-
Balatara, P.S.- Ara (T), District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Malti Kumari

For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Section 30(a) of the Bihar
Prohibition and Excise Act.

As per prosecution case, on receiving secret
information that liquor loaded one green colour Atul Tempo,
Registration No. BR44P-4702 is coming near Darhara Bridge
thereafter informant along with police party reached at that
place and there has been recovery of 300 liters of illegal *Chulai*
Mahua liquor from a Tempo.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner has no concern either with the



seized vehicle or with the liquor. He submitted that the seized vehicle was being driven by other co-accused Binda Bind, who managed to flee away from the place of occurrence. No incriminating article has recovered from the conscious possession of the petitioner. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 29.09.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 1st, Bhojpur at Ara in connection with Ara Nagar P.S. Case No. 868 of 2022.

(Sunil Kumar Panwar, J)

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