

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9099 of 2023

Arising Out of PS. Case No.-785 Year-2022 Thana- ARARIA District- Araria

Naim Son of Fagu Resident at Bhagwanpur Ward no. 4, P.S- Jokihat, Dist-
Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 02-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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

Prosecution case relates to recovery of total 137 liters
of Eskuf Cough Syrup from a silver colour Wagon R car bearing
Registration No. DL3CAVV-8304.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has no concern with the alleged recovery or with the
vehicle in question. The name of the petitioner has been
disclosed in this case by the villagers before the police which
has got no evidentiary value in the eye of law. Neither the
petitioner was arrested on spot nor any incriminating article has



been recovered from his conscious possession. Similarly situated other accused person namely Masood @Md. Masood has already been enlarged on bail by another coordinate Bench of this Court vide order dated 10.02.2023 passed in Cr. Misc. No. 74294 of 2022. The petitioner is languishing in judicial custody since 15.12.2022.

Learned APP appearing for the State has opposed the prayer of Bail.

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 Judge (Excise) No.I, Araria in connection with Araria (Bairgachhi) P.S. Case No. 785 of 2022.

(Sunil Kumar Panwar, J)

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