

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12904 of 2023

Arising Out of PS. Case No.-311 Year-2022 Thana- LAUKAHA District- Madhubani

Md. Isha S/O Md. Enul Haque @ Md. Enul Resident Of Village- Gorgama,
P.S.- Phulparas, District- Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti

For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Laukaha P.S. Case No. 311 of 2022 registered under section 30(a) of the Bihar Prohibition and Excise Act and Sections 272 and 273 of the Indian Penal Code.

Prosecution case relates to recovery of 448.200 liters of Nepali made liquor from a Santro Car which was being driven by this petitioner and he was arrested by the police on spot after chase.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted that



nothing incriminating article has been recovered from the conscious possession of the petitioner and he has no concern with the seized illicit liquor. It is also submitted that he has no knowledge about the illicit liquor kept in the seized vehicle. Moreover, he is languishing in judicial custody since 27.11.2022.

The application for bail is opposed by learned APP for the State and submitted that the petitioner has been arrested on spot with the said vehicle by the police where the recovery has been made.

The petitioner is directed to deposit a sum of Rs. 30,000/- (Rs. Thirty Thousand) in the District Legal Services Authority of the concerned District.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Laukaha P.S. Case No. 311 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Jhanjharpur, Madhubani.



The bail bonds of the petitioner shall be accepted by the learned lower Court below on showing the receipt of deposit of Rs. 30,000/- (Rs. Thirty Thousand) by the petitioner in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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