

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14034 of 2023

Arising Out of PS. Case No.-387 Year-2022 Thana- MIRGANJ District- Gopalganj

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MOHAMMAD SHAHJAD @ PATRU S/O ZAINUL HAQUE R/v- Paikuli,
P.S.- Phulwariya, District- Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra

For the Opposite Party/s : Mr. Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 414/34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 330 liters illicit liquor from a car bearing Registration no. BR01-FM-2286. The petitioner is said to be fled away from the place of occurrence.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. Petitioner has no concern with the alleged recovery of illicit



liquor or with the vehicle in question from where recovery has been made. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. The name of the petitioner has been disclosed by co-accused namely, Vishal Kumar who was apprehended on spot. It is further submitted that the petitioner is languishing in judicial custody since 5.1.2023.

Learned APP appearing for the State has vehemently 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 released on bail in connection with Mirganj P.S. Case No. 387 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-IV-cum-Special Judge, Excise Court No.II, Gopalganj.

(Sunil Kumar Panwar, J)

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