

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14637 of 2023

Arising Out of PS. Case No.-150 Year-2022 Thana- BELHAR District- Banka

MD. NAUSHAD @MD. NOUSAD S/O BIRAL MIYA R/V- Gorgamma,
P.S.- Belhar, District- Banka

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Balram Kapri, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 08-05-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Belhar P.S. Case No. 150 of 2022, dated 21.04.2022 registered
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. The main submissions advanced by petitioner's
counsel are that the instant matter relates to the recovery of 125
litres of *country-made Mahua Wine* and the same is stated to
have been recovered from the possession of petitioner's uncle
who was found with the alleged wine on a motorcycle and the
said motorcycle stands under the ownership of this petitioner,
owing to which he has been made accused in this case in fact, he
has no connection with the alleged seized wine and he has been



languishing in jail since 28.11.2022 and against him the investigation has been completed. Further submission is that against the petitioner there are criminal antecedent of two cases in which he has got bail in both the said cases.

4. Learned APP appearing for the State has opposed the prayer for bail.

5. Considering the above submissions and mainly petitioner's custody period and completion of investigation against him, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above 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 the concerned Court in connection with Belhar P.S. Case No. 150 of 2022.

(Shailendra Singh, J.)

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