

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16876 of 2023

Arising Out of PS. Case No.-566 Year-2020 Thana- PHULPARAS District- Madhubani

MURSHID ALAM S/o Late Md. Aalim Resident of Village-Falsara, P.S.-
Dalkola, District-Uttar Dinajpur (West Bengal).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

10 19-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. 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.

3. Prosecution case relates to recovery of total 3069 liters of foreign liquor from a Truck bearing Registration No. PB08BV9163 and driver Ranjit Singh was apprehended on the spot who disclosed the name of the petitioner as supplier of the said liquor.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Petitioner is a resident of Dalkola District Uttar Dinajpur (West Bengal) and he has falsely been



implicated in this case due to his previous criminal antecedents. He has no concern with the alleged recovery of liquor or with the vehicle in question. The name of the petitioner has been disclosed in this case by the apprehended truck driver, 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. Petitioner is languishing in judicial custody since 14.09.2022.

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

6. 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 **after framing of charge, if not framed**. 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 Special Judge, Excise Act, Jhanjharpur in connection with Fulparas P.S. Case No. 566 of 2020.

(Sunil Kumar Panwar, J)

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