

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17614 of 2023

Arising Out of PS. Case No.-134 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Banka

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Md. Jahid S/O Md Alikadar Resident Of Village-Sripur, Ward No.-5, P.S.-
Chariya Bariyarpur, District-Begusarai

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar
For the Opposite Party/s : Mr.Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-05-2023 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 sections

30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 873.360

litres of I.M.F.L. from a Tata Yodha vehicle bearing

registration number BR-09GA-5707. Petitioner is alleged

to be driver of the aforesaid vehicle.

Learned counsel appearing on behalf of the

petitioner has submitted that petitioner is innocent and



has committed no offence. The petitioner has been dragged in this case only because he is driver of the alleged vehicle. He has no knowledge of illicit liquor. Nothing incriminating has been recovered from the conscious possession of the petitioner. He is languishing in judicial custody since 12.02.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P. appearing on behalf of State has vehemently opposed the prayer of Bail and submitted that petitioner is driver of the vehicle from which huge quantity of illicit liquor has been recovered.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period under custody, 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 Additional Sessions Judge V, Banka in connection with Excise Complaint/ Excise P.S. Case No. 134 of 2023.

The petitioner is directed to deposit a sum of Rs. 20,000/-(Rupees Twenty Thousands) in the concerned District Legal Services Authority.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs. 20,000/-(Rupees Twenty Thousands) in District Legal Services Authority of concerned District.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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