

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19003 of 2023

Arising Out of PS. Case No.-25 Year-2023 Thana- KALUAHI District- Madhubani

Md. Irshad Son Of Abdul Gaffar @ Md. Abdul Gaffar Taslim @ Gaffar R/O Village-
Kaluahi Darji Tol, P.S.- Kaluahi, District- Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Adv.

For the Opposite Party/s : Ms. Rita Verma, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 09-05-2023 1. Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.
2. Heard learned counsel for the petitioner and the learned APP for the State.
3. Petitioner seeks regular bail in connection with Kaluahi P.S. Case No. 25 of 2023 dated 05.02.2023 registered for the offences punishable under Sections 272 and 273/34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.
4. The main submissions advanced by learned counsel for the petitioner are that the instant matter relates to the recovery of 114 litres of *country made nepali liquor* and the same is stated to have been recovered from two motorcycles and



as per allegation, the petitioner was found driving one of the motorcycles at the time of recovery of the alleged liquor, in fact the petitioner had no concern with the seized liquor and he has been made accused in this case on account of being riding one of the motorcycles and both the motorcycles belong to co-accused Mahadeo Kumar Mahto and the petitioner has fair and clean antecedent. Further submissions are that the petitioner is a very young person and against him, the investigation has been completed and he has been languishing in jail since 05.02.2023.

5. Learned APP appearing for the State opposes the bail prayer of the petitioner.

6. Considering the above submissions and mainly the petitioner's young age, his fair and clean antecedent and completion of the 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 Court concerned in connection with Kaluahi P.S. Case No. 25 of 2023.

(Shailendra Singh, J)

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