

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24294 of 2023

Arising Out of PS. Case No.-98 Year-2022 Thana- GAUTAMBUDHNAGAR District- Siwan

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SHER MOHAMMAD Son of Klamuddin Ansari @ Klamuddin Mian R/V-
Srinagar, Saidpura, PS-G.B. Nagar Tarwara, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 12-05-2023 1. Heard learned counsel for the petitioner and
the learned APP for the State.

2. Petitioner seeks regular bail in connection
with G.B. Nagar P.S. Case No.98 of 2022 dated 18.04.2022
registered for the offence(s) punishable under Section(s) 30(a)
of the Bihar Prohibition and Excise Act.

3. The main submissions advanced by the
learned counsel for the petitioner are that the instant matter
relates to the recovery of 58.50 litres of english foreign liquor
and 31.140 litres of country-made liquor from a tempo but the
petitioner was not apprehended at the spot and he is neither the
owner nor the driver of the said vehicle and he has been made
accused mainly on the basis of disclosure and information given
by the local persons who gathered at the place of recovery.



Further submissions are that the petitioner is a young person and has been languishing in jail since 15.03.2023 and against him the investigation has been completed and the alleged wine was not recovered from the conscious possession of the petitioner and against the petitioner there is criminal antecedent of one case in which he is on bail.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly the petitioner's young age and the completion of investigation against him and also the fact that he has been made accused mainly on the basis of information and disclosure made by the local persons regarding his involvement in the alleged crime, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail in connection with G.B. Nagar P.S. Case No.98 of 2022 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.

(Shailendra Singh, J)

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