

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24776 of 2023

Arising Out of PS. Case No.-24 Year-2023 Thana- BALIA BELON District- Katihar

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1. Md. Shamsheer Alam Son Of Late Md. Habibur Rahman Resident Of Village - Tarona Bari, Betauna, P.S. - Kasba, Distt. - Purnia
 2. Md. Rafik Son Of Abdul Matin Resident Of Village - Mohani Katahalbari, Betauna, P.S. - Kasba, Distt. - Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH

ORAL ORDER

- 2 15-05-2023 1. Heard learned counsel for the petitioners and the learned APP for the State.
2. Petitioners seek regular bail in connection with Balia Belon P.S. Case No. 24 of 2023 dated 21.02.2023 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.
3. The main submissions advanced by learned counsel for petitioners are that the instant matter relates to the recovery of 204.93 litres of illicit foreign liquor and the same is stated to have been recovered from a Hyundai Santro car and as per allegation both the petitioners were found sitting in the said car but in actual the petitioner no. 1 was driver of the said car when the alleged liquor was recovered and both the petitioners had no

knowledge about the seized liquor and they became victim of the circumstances and they have fair and clean antecedent have been languishing in jail since 22.02.2023 and against them the investigation has been completed.

4. Learned APP for the State opposes the bail prayer of the petitioners.

5. Considering the above submissions and mainly the petitioners’ fair and clean antecedent, their custody period as well as the completion of investigation against them, in my opinion, it is a fit case for bail to the petitioners. Accordingly, let the petitioners named above be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of concerned Court in connection with Balia Belon P.S. Case No. 24 of 2023.

(Shailendra Singh, J)

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