

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39407 of 2023

Arising Out of PS. Case No.-341 Year-2022 Thana- SIKTI District- Araria

MD. KAUSAR Son of Matiful Resident of village - Khari Basti, P.S. - Sikti,
Distt. - Araria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma

For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, prosecution case relates to recovery of of total 482.100 liters of illicit nepali liquor and the petitioner is said to be fled away from the place of occurrence.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. Petitioner has no concern with the alleged recovery of illicit liquor or with the place of occurrence. Neither the petitioner was apprehended on spot nor any incriminating article



has been recovered from his conscious possession rather his name was transpired in this case on the basis of secret information. Moreover, the petitioner is languishing in judicial custody since 29.1.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sikti P.S. Case No. 341 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise-2, Araria.

(Sunil Kumar Panwar, J)

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