

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 32791 of 2023**

Arising Out of PS. Case No.-268 Year-2022 Thana- GAUTAMBUDHNAGAR District-
Siwan

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SHER MOHAMMAD S/o- KLAMUDDIN ANSARI Village- Srinagar
Saidpura Ps- GB 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 Umesh Lal Verma, APP

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CORAM: HONOURABLE MR JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 24-05-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor (for brevity, **APP**) appearing for
the State of Bihar.

The petitioner has preferred this application for grant
of regular bail in connection with G B Nagar Police Station (for
brevity, **PS**) Case No 268 of 2022 dated 04.08.2022 registered
for the offence punishable under Sections 30 (a), 41 (i) of the
Bihar Prohibition and Excise Act.

As per the prosecution case, total 171.96 litres of
illicit country made and foreign liquor was recovered from the



tempo.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has two criminal cases, as stated in paragraph 3 of the bail petition. Learned counsel has further submitted that the name of petitioner has transpired in the confessional statement of co-accused.

Learned APP has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, the period of custody as well as the nature of allegation against the petitioner, the petitioner above named is directed to be released on bail on his furnishing bonds of Rs 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Excise Court No I, Siwan in G B Nagar PS Case No 268 of 2022 dated 04.08.2022.

This application stands allowed.

(Chandra Prakash Singh, J)

M.E.H./-

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