

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33625 of 2023

Arising Out of PS. Case No.-25 Year-2023 Thana- SUIYA District- Banka

MD. NAUSAD Son of Md. Abbas Resident of village - Sothgaon, P.s. - Harlakhi, Distt. - Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey
For the Opposite Party/s : Mr. Abhay Kumar Roy

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 A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with Suiya P.S. Case No. 25 of 2023 dated 25.02.2023 registered for the offences punishable u/s 30(a) of Bihar Prohibition and Excise Act.

As per the prosecution case, total 867.3 liters of illicit foreign liquor was recovered from a white colour pickup van and the co-accused Sajan Paswan was apprehend while he was trying to escape.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is the owner of the vehicle and he has no knowledge about the seized liquor. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel has submitted that the petitioner has no concern with the alleged recovery. The petitioner has no antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 26.04.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Banka in connection with Suiya P.S. Case No. 25 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

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