

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34845 of 2023

Arising Out of PS. Case No.-285 Year-2020 Thana- BIBHUTIPUR District- Samastipur

MD. SERAJUDDIN @ SERAJUDDIN @ SONU SON OF NURUDDIN
MIAN@ NURADIN MIYAN RESIDENT OF VILLAGE- DAKSHINI
SUGAON, PS- SUGAULI, DISTT- EAST CHAMPARAN AT MOTIHARI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Singh
For the Opposite Party/s : Mr.Asha Devi

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 25-05-2023 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 Bibhutipur P.S Case No 285
of 2020 dated 23.09.2020 registered for the offences punishable
under Sections 272, 273 of the Indian Penal Code, and u/s 30 (a)



of the Bihar Prohibition and Excise (Amendment) Act, 2018 and Section 25 (1-b)a, 26, 35 of the Arms Act.

As per the prosecution case, 4410 litres of licit liquor was recovered from two vehicles.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The name of the petitioner has transpired in the confessional statement of co-accused Samitulla @ Tanweer. The petitioner is accused in 2 other criminal cases as stated in para 3 of the bail petition. The co-accused person has already been granted bail by the Co-ordinate Bench of this Court vide order dated 06.01.2023 in Cr. Misc. No 69204 of 2022 . The petitioner is in custody since 23.03.2023.

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) with two sureties of the like amount each to the satisfaction of Special Judge Excise-I, Samastipur in connection with Bibhutipur P.S. Case 285 of



2020.

The application stands allowed.

Ajay Singh/
Kaushik

(Chandra Prakash Singh, J)

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