

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38706 of 2023**

Arising Out of PS. Case No.-22 Year-2023 Thana- NAUTAN District- West Champaran

Serajul Miyan @ Sarajul Miyan @ Sarazul Miyan, S/O Late Sahamat @
Sahamad Miyan, R/O Vill. Shivrajpur, PS. Nautan, Dist. West Champaran
(Bettiah)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate
For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

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

ORAL ORDER

2 05-07-2023 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 Nautan P.S. Case No. 22 of 2023
dated 15.01.2023 registered for the offences punishable u/s 30(a)
of the Bihar Prohibition and Excise Act.

As per the prosecution case, 36 litres of illicit country
made liquor was recovered from the sack of the petitioner. The
apprehended person disclosed the name of the petitioner as Serajul
Miyan.

Learned counsel for the petitioner has submitted that the



petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has sprung up in this case in the confessional statement of the apprehended person. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is accused in one criminal case 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 prayer of 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 learned Court concerned, Bettiah, West Champaran in connection with Nautan P.S. Case No. 22 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

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