

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38761 of 2023

Arising Out of PS. Case No.-1176 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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SAHAMAT ALAM Son of Asamulah Miya Resident of village - Laukariya,
P.S. - Bairiya, Distt. - West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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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 Excise P.S. Case No. 1176 of 2023 dated 01.05.2023 registered for the offences punishable u/ss 30(a), 41(i) of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 103.68 litres of foreign liquor was recovered from a Maruti Zen car.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this



case. The petitioner is not the owner of the said vehicle. The petitioner has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 02.05.2023.

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 learned Court concerned, Motihari, East Champaran in connection with Excise P.S. Case No. 1176 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

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