

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45291 of 2023

Arising Out of PS. Case No.-146 Year-2023 Thana- BAUNSI District- Banka

MD. ISRAIL Son of Late Salamat Miyan Resident of village - Pipra Dewas,
P.S.- Barauni, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda

For the Opposite Party/s : Mr.Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 30(a)/47 of the Bihar Prohibition and Excise Act.

3. As per FIR, prosecution case relates to recovery of 164.26 liters of illicit foreign liquor from a bus bearing Registration no. BR06PC-5161 and the petitioner is said to be driver who was apprehended on spot.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. He has got no criminal antecedent as stated in para-3 of the bail petition. The petitioner is said to be driver of



the bus in question but he has no concern with the alleged recovery of illicit liquor or with the co-accused persons. No any incriminating article has been recovered from conscious possession of the petitioner. The petitioner is languishing in judicial custody since 23.5.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bounsi P.S. Case No. 146 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-II, Banka.

(Sunil Kumar Panwar, J)

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