

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47160 of 2023

Arising Out of PS. Case No.-209 Year-2023 Thana- WAJIRGANJ District- Gaya

MD. EDRISH KHAN @ EDRISH SAMSI, S/O LATE RAHMAN R/O
Village- Chainbigha, P.S- Wazirganj, Distt.- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishwa Ranjan Choudhary, Advocate
For the Opposite Party/s : Mr.Mohammed Arif, APP

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

ORAL ORDER

2 03-08-2023 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.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Wazirganj P.S. Case No. 209 of 2023 dated 14.04.2023 registered for the offences punishable u/ss 30(a), 37(ii) and 45 of the Bihar Prohibition and Excise Act.

4. As per the prosecution case, 150 litres of illicit *mahua* liquor was recovered from a tempo. It is further alleged that the petitioner was sitting with the driver of the said tempo.



On Breath Analyzer Test, presence of alcohol in his body was confirmed.

5. 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 possession of the petitioner. It is further submitted that the petitioner has no concern with the alleged recovery. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 15.04.2023.

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

7. 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, Gaya in connection with Wazirganj P.S. Case No. 209 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

U		T	
---	--	---	--

