

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51120 of 2023

Arising Out of PS. Case No.-347 Year-2022 Thana- FATEHPUR District- Gaya

MD. SAHJAD ALAM @ SAHJAD ALAM S/O SALIM ALAM @ SALIM
R/O Village- Parsa Tari, P.S- Chouparan, Distt.- Hazaribagh.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deep Nishi, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 18-08-2023 Heard learned counsel for the petitioner and the State.
2. Petitioner apprehends arrest in registered for the offences punishable under Section 414/34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.
3. As per prosecution case, 100 liters *mahua* was recovered from motorcycle.
4. Learned counsel for the petitioner submits that petitioner is neither driver nor owner of the motorcycle in question. No incriminating material has been recovered from the conscious possession of the petitioner. Petitioner has got clean antecedent.
5. Learned counsel for the State opposes the prayer for bail of the petitioner.
6. Considering the aforesaid facts and circumstances



of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Excise Court No. 1, Gaya in connection with Fatehpur P. S. Case No. 347 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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