

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49578 of 2023

Arising Out of PS. Case No.-104 Year-2023 Thana- BENIPATTI District- Madhubani

Md. Rizwan Son Of Wasir Nadaf Resident Of Village- Siamali, Ps- Khirhar,
Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Gagan Deo Yadav, Adv.
		Mr. Ravi Prakash, Mr. Rajesh Kumar, Adv.
For the Opposite Party/s :		Mr.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 22-09-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in the present case registered for the offence punishable under sections 272, 273/34 of the Indian Penal Code and sections 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 342 litres of illicit wine from Honda City Car and petitioner and co-accused Devendra Kr. Paswan were apprehended on spot.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Petitioner has no concern with the



alleged recovery or with the vehicle in question. He was simply a driver of the alleged vehicle and he was not in knowledge that illicit liquor was kept inside. Petitioner is languishing in judicial custody since 24.5.2023.

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

Petitioner is directed to deposit Rs. **20,000/- (Rs. twenty thousand)** in the concerned DLSA.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge Excise Act, Madhubani in connection with Benipatti P.S. Case No. 104 of 2023.

The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of deposit of Rs. **20,000/- (twenty thousand only)** by the petitioner



in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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