

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53553 of 2023

Arising Out of PS. Case No.-301 Year-2021 Thana- HARLAKHI District- Madhubani

Md. Amirul Nadaf @ Md. Amirul, S/O Md. Israil Nadaf @ Md. Isaraeel R/O
Village- Dih Tol Ward No. 12 Samhli, Ps. Saharghat, Dist. Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan, Advocate

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

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

ORAL ORDER

2 25-08-2023 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 Harlakhi P.S. Case No. 301 of 2021 dated 21.11.2021 registered for the offences punishable u/ss 272, 273 read with Section 34 of the Indian Penal Code and u/s 30(a) of the Bihar Prohibition and Excise Act.

4. As per the prosecution case, on secret information, unknown miscreants boarded on four motorcycles were coming



towards Gangaur village. On seeing police, they left their motorcycles and tried to flee away but one miscreant was apprehended who disclosed his name as Santosh Yadav. On search, 405 litres of illicit Nepali country made liquor and four motorcycles were also recovered from the spot.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has surfaced in this case during the course of investigation. Nothing has been recovered from the possession of the petitioner and 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 02.06.2023.

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, Madhubani in connection with G.R. No. 2199 of



2021 arising out of Harlakhi P.S. Case No. 301 of 2021.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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