

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59606 of 2023

Arising Out of PS. Case No.-34 Year-2019 Thana- SOHSARAI District- Nalanda

MD. SARFARAZ @ MD. CHAND @ JALLA MIAN @ JARNHWA Son of
Md. Raquid Khan @ Akokhan RESIDENT OF KAGHZI MULLAH, PS -
BIHAR SHARIF, DISTRICT NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Prasad

For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-09-
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 section 30(a) of the
Bihar Prohibition and Excise Act.

3. As per FIR, prosecution case relates to recovery of
incriminating wine along with one motorcycle from possession
of co-accused and this petitioner is alleged to have indulged in
illicit trade of liquor.

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 on the basis of confessional statement of



apprehended co-accused Manish Kumar. The petitioner has no concern with the alleged recovery of illicit liquor or with the place of occurrence. Neither he was arrested on spot nor any incriminating article has been recovered from his conscious possession. It is further submitted that the petitioner is languishing in judicial custody since 26.5.2023.

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 period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sohsarai P.S. Case No. 34 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 4th Additional Sessions Judge-Excise-IIInd, Bihar Sharif, Nalanda.

(Sunil Kumar Panwar, J)

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