

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60780 of 2023

Arising Out of PS. Case No.-717 Year-2023 Thana- Excise P.S. District- West Champaran

Arbi Alam Son Of Md. Mashud @ Md. Mashahur Resident Of Village -
Jhumka, Police Station - Sikta, District - West Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra
For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 30(a), 37 Bihar Prohibition and Excise Act.

As per prosecution case, the petitioner and co-accused person along with a motorcycle was apprehended on the spot and from possession of co-accused 300 ML. Nepali liquor was recovered. It is further alleged that after breath analyzer test, it came into light the petitioner had consumed liquor.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. The petitioner has no concern with the alleged recovery nor vehicle in question belongs to him. It is further submitted that nothing has been recovered from his conscious possession. The seizure list has not been prepared as per provision of law. Moreover, the petitioner is languishing in judicial custody since 10.07.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bettiah Excise P.S. Case No. 717 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court.

(Sunil Kumar Panwar, J)

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