

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 63051 of 2022**

Arising Out of PS. Case No.-243 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Purnia

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MD NAUSHAD SON OF MD. HARUN R/O VILLAGE- PUPRI, WARD
NO.89, P.S.- PUPRI, DISTRICT- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Vikram Singh, Advocate

For the Opposite Party/s : Mr Sanjay Kumar Sharma, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 13-01-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor (for brevity, **APP**) appearing for
the State of Bihar through Virtual Mode.

The petitioner seeks bail in Excise Case No 243 of
2022 registered for the offence punishable under Section 30 (A)
of Bihar Prohibition and Excise Act, 2016.

The informant (Excise Inspector) has stopped a pick
up van near the check post coming from West Bengal. The
same led to recovery of 898.515 liters of Indian Made Foreign
liquor.

Petitioner's counsel submits that the petitioner's
services were hired for a day as a Driver. Oblivious of the
contents, he lent his professional services. Having no



antecedent, he has become victim of the circumstance and is in custody since 18.07.2022.

Learned APP has opposed the prayer for bail.

Having considered the rival submissions, manner of recovery and nature of allegation, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise, Purnea Court No 2 in Excise Case No 243 of 2022 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-



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