

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67154 of 2023

Arising Out of PS. Case No.-1103 Year-2023 Thana- Excise P.S. District- Kishanganj

Md Sabir S/O Md Shahid @ Md Shahid R/O Village- Motibag, P.S-
Kishanganj, Distt.- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Madya Nisedh P.S. Case No. 1103 of 2023, lodged on
04.08.2023, under Sections 30(a) and 32(3) of the Bihar
Prohibition and Excise Act.

3. As per the prosecution case, total recovery of 50
liters of country made liquor has been the subject matter of the
present case.

4. Learned counsel for the petitioner submits that the
antecedent of the petitioner is clean. He is in custody since
05.08.2023. Counsel submits that admittedly the recovery has
been made from the auto-rickshaw and petitioner is driver-cum-
owner of the said auto-rickshaw. Counsel submits that



petitioner is ready to abide all the conditions imposed by the Court.

5. Learned counsel for the State opposes the prayer for bail.

6. In this background, I am not inclined to grant bail to the petitioner but liberty is granted to the petitioner that upon framing of the charges the petitioner shall move for bail and the trial Court is directed to release him on bail imposing conditions so that he may not evade appearance during trial.

7. With this direction, the application is disposed of.

(Dr. Anshuman, J)

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