

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65959 of 2023

Arising Out of PS. Case No.-246 Year-2023 Thana- BABUBARHI District- Madhubani

Nayeem Safi @ Rahim Safi @ Naiem Saafi Son of Baharu Saafi Village-
Balaser W. No.-1, PS- Babubarhi, Dist- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Advocate

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 18-10-2023 Heard Mr. Ratanakar Jha, learned counsel appearing
on behalf of the petitioner and Mr. Md. Iftekhar Mahmood,
learned APP for the State.

2. The petitioner seek pre-arrest bail in connection
with G.R. No.1178 of 2023 arising out of Babubarhi P.S. Case
No.246 of 2023 dated 31.07.2023 registered for the offence
punishable under Sections 272 and 273 of the Indian Penal Code
and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the allegation in the FIR total 39.3 liters
Nepali country-made liquor has been recovered from two bags
near Balansher Chowk.

4. Learned counsel appearing on behalf of the
petitioner submits that petitioner is innocent and he has falsely
been implicated in the present case. The illicit liquor has not

been recovered from the possession of the petitioner. The name of the petitioner has been implicated in this case on the basis of statement given by a *Chowkidar*.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR, I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Babubarhi P.S. Case No.246 of 2023 dated 31.07.2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J.)

Ashishsingh/-

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