

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70498 of 2023

Arising Out of PS. Case No.-98 Year-2021 Thana- HAYAGHAT District- Darbhanga

MD. AZAD @ MD. AJAD SON OF LATE MD SAMRUDDIN RESIDENT
OF VILLAGE- RAMPUR SOUTH, WARD NO. 3, CHOWK TOLA, PS-
FORBESGANJ, DISTT- ARARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of total 142.5 liters of illicit liquor from a Scorpio vehicle bearing Reg. No. BR-10P-2347.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Being owner of the alleged vehicle, the petitioner has falsely been implicated in this case. He has no concern with the alleged recovery of liquor. Neither the petitioner was arrested on spot nor any incriminating article has



been recovered from his conscious possession. In fact, the petitioner purchased the alleged vehicle from Rupesh Kumar Verma on 18.06.2018 and after two year he sell out the same to one Md. Ishtiyak and in this regard, an affidavit has been prepared and also signed the sale letter but said newly purchaser Md. Ishtiyak has not transfer the ownership and petitioner who is in impression that alleged vehicle has been transferred after getting the entire consideration amount. The petitioner is languishing in judicial custody since 24.06.2023.

5. Learned APP appearing for the State has opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge-I (Excise Act), Darbhanga in connection with Hayaghat P.S. Case No.98 of 2021.

(Sunil Kumar Panwar, J)

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