

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74294 of 2022

Arising Out of PS. Case No.-785 Year-2022 Thana- ARARIA District- Araria

MASOOD @ MD. MASOOD SON OF RAMJAN R/O VILLAGE-
BHAGWANPUR, WARD NO.3, P.S.- JOKIHAT, DISTRICT- ARARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal

For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-02-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with (Bairgachhi O.P.) P.S. Case No. 785 of 2022, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 137 liters of Eskuf syrup from a maruti wagon R car and it is alleged that two persons had fled away including the petitioner herein.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has



been falsely implicated in the present case and he is languishing in custody since 3.10.2022 The learned counsel for the petitioner has further submitted that though the petitioner is an accused in three other cases, but he is on bail in all the said three cases. The learned counsel for the petitioner has further submitted, by referring to paragraph no. 9 of the present petition that the petitioner is not the owner of the seized Wagon R car, hence, he is not having any complicity in the matter.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that neither the petitioner is stated to be the owner of the seized car nor he has been arrested from the spot nor any contraband articles / illicit liquor have been recovered from his conscious



possession, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-1, Araria in connection with Araria (Barigacchi O.P.) P.S. Case No. 785 of 2022.

(Mohit Kumar Shah, J)

Ajay/-

U		T	
---	--	---	--

