

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75380 of 2022

Arising Out of PS. Case No.-149 Year-2022 Thana- BIDUPUR District- Vaishali

MANTU MIYA @ MD. MUMTAJ ALAM @ RMANTU MIYA Son of Idrish
Khan @ Idrids R/v- Mile, P.S.- Bidupur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Meena Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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

Prosecution case relates to recovery of total 1616.40 liters foreign liquor from 300 meters south of village Daudnagar.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. Petitioner has no concern with the alleged recovery or with the place of occurrence. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his



conscious or constructive possession. It is further submitted that the petitioner is never indulged in the business of illegal liquor rather his name came into light only on the basis of secret information. Moreover, the petitioner is languishing in judicial custody since 20.11.2022.

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

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 released on bail in connection with Bidupur P.S. Case No. 149 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1-cum-Additional District and Sessions Judge, Hajipur at Vaishali.

(Sunil Kumar Panwar, J)

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