

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76864 of 2023

Arising Out of PS. Case No.-109 Year-2023 Thana- SIKTA District- West Champaran

Saheb Miyan Son Of Mohammad Jan Miyan R/O Vill - Fatehpur, P.S. -
Chanpatiya, Dist. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. 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.

3. Prosecution case relates to recovery of 66.60 liters of Nepali liquor from a motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner and he has no concern with the seized liquor. It is further submitted from para-8 of this petition that the owner book of the said vehicle from where the recovery has been made is in the name of one Krishna



Sah and he sold the same to one Pradeep Kumar and one Jogul Sahani again sold it to petitioner. Moreover, the petitioner is languishing in judicial custody since 13.09.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sikta P.S. Case No. 109 of 2023 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 Judge, Excise-II, West Champaran.

(Sunil Kumar Panwar, J)

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