

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80852 of 2023

Arising Out of PS. Case No.-477 Year-2023 Thana- BOCHAHAN District- Muzaffarpur

Jishan Ali Son Of Kamruddin Village Anupar Dibai Ps Simbhauli Dist Hapur,
U.P.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar

For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-12-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 30(a), 32(ii)(iii), 36, 41(i)(ii) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 6687.72 litres of IMFL from a Truck bearing Reg. No. UP-21CT-8275. The petitioner is alleged to be co-driver of the Truck and he along with driver was arrested on spot.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has no concern with the alleged



recovery. Nothing incriminating has been recovered from his conscious possession. There is no independent witness of the alleged seizure. He is languishing in judicial custody since 15.09.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has 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 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 Special Judge, Excise Court No. 3, Muzaffarpur in connection with Bochaha P.S. Case No. 477 of 2023.

(Sunil Kumar Panwar, J)

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