

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82165 of 2023

Arising Out of PS. Case No.-64 Year-2023 Thana- KHIRHAR District- Madhubani

Md. Hasmat S/O Md. Hakim @ Abdul Hakim Chhote @ Abdul Hakim
Chhote Village- Sothgaon, Madhubani Tol,Ps. Harlakhi, Dist.Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagandeo Yadav Mr. Ravi Prakash Mr. Udeshya Kumar Yadav Mr. Rajesh Kumar
For the Opposite Party/s :		Mr.Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-12-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner prayed for regular bail in connection with Khirhar P.S. Case No. 64 of 2023 instituted for the offence under Sections 272, 273 and 414 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act.

As per FIR, the petitioner was apprehended on the spot and from a Motorcycle bearing Reg. No. BR32D999, total 99 liters illicit liquor was recovered. One mobile was also seized from the pocket of the petitioner.

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 merely on suspicion. Petitioner has no any concern with the alleged recovery of liquor nor vehicle in question belongs to him. Seized mobile belongs to the petitioner. It is further submitted that nothing incriminating article or illicit liquor has been recovered from his conscious possession. The petitioner is languishing in judicial custody since 25.07.2023.

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

The petitioner is directed to deposit a sum of **Rs 5,000/- (Five Thousand)** in the District Legal Services Authority of concerned District.

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 Khirhar P.S. Case No. 64 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 Additional Sessions Judge-II-cum-Special Judge,
Excise Act, Madhubani.

The bail bond of the petitioner shall be accepted
by the learned court below on showing the receipt of
deposit of **Rs. 5,000/- (Rs. Five thousand)** by the petitioner
in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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