

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8584 of 2024

Arising Out of PS. Case No.-276 Year-2023 Thana- MOTIPUR District- Muzaffarpur

Shane Ali S/O Asagar Hussain Village- Dhakiya Didauli, Ps. Didauli, Dist.
Amroha, Uttar Pradesh, Pin No. 244222.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Motipur
P.S. Case No. 276 of 2023 instituted for the offences under
Sections 420, 467, 468, 471, 414, 120B of the Indian Penal
Code and Sections 30(a), 31, 32(1)(II), 36, 41(I)(II) of the Bihar
Prohibition and Excise Act.

3. Prosecution story, in short, is that total 516.750
litres of foreign liquor was recovered from the truck.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case merely
on suspicion. No incriminating article has been recovered from
the conscious possession of the petitioner. Petitioner has no



concern with the alleged recovery of liquor. Learned counsel further submitted that petitioner has no concern with the vehicle from which the alleged recovery has been made and petitioner not owner of the said vehicle. There is no compliance of Section 100 of the Cr.P.C. It has been submitted on behalf of the petitioner that the petitioner is in custody since 09.09.2023 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, no criminal antecedent and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Motipur P.S. Case No. 276 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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