

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8323 of 2024

Arising Out of PS. Case No.-296 Year-2023 Thana- MADHEPUR District- Madhubani

Md. Saife @ Md. Saif Son of Md. Munna R/o vill - narahiya, ward no. 6, P.S.
- Laukahi (Narahiya O.P.), Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar, 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 Madhepur P.S. case No. 296 of 2023, G.R. No. 857 of 2023 instituted for the offences under Sections 272, 273, 34 of the Indian Penal Code and Sections 30(a) and 47 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 139.5 liters nepali liquor was recovered from the car.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case merely on suspicion. The petitioner has got no concern with the alleged recovery of liquor. No incriminating material has been recovered from the conscious possession of the petitioner. The



petitioner is in custody since 30.11.2023 and has got two criminal antecedents in which he is on bail. There is no compliance of Section 100 of Cr.P.C.

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 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 Madhepur P.S. case No. 296 of 2023.

(Rudra Prakash Mishra, J)

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