

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12819 of 2024

Arising Out of PS. Case No.-529 Year-2023 Thana- NAUTAN District- West Champaran

Jubair Alam Son Of Late Hanif Miya R/O Village- Fatehpur, P.S.- Nautan @
Noutan, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Arun Kumar, APP

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

ORAL ORDER

2 27-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Nautan Jagdishpur P.S.
Case No. 529 of 2023, instituted for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 76.950 liters
liquor was recovered from one tempo and the petitioner was
apprehended on spot.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case due to
his non-cooperation with the police personnel. No incriminating
material has been recovered from the conscious possession of
the petitioner. The petitioner has got no concern with the alleged



recovery of liquor. It is further submitted that the petitioner is driver and owner of the seized vehicle. The petitioner is in custody since 21.12.2023 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nautan Jagdishpur P.S. Case No. 529 of 2023.

(Rudra Prakash Mishra, J)

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