

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14588 of 2024

Arising Out of PS. Case No.-318 Year-2023 Thana- KOCHADHAMAN District- Kishanganj

Asarfi Sah S/O Dinesh Sah R/O Mohalla- Chakla, Ward No. 6, P.S- Dhelad,
Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Anand, Adv.

For the Opposite Party/s : Ms.Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 04-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Kochadhaman P.S. Case No. 318 of 2023 instituted for the offences under Sections 30(a), 32, 41 and 47 of the Bihar Prohibition and Excise Act, 2016.

3. As per prosecution case, the police has recovered 894 liters of illicit Indian-made foreign liquor from the Mahindra Bolero Pick-up vehicle bearing Reg. No. BR11GE-9890.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner and



has been made accused only because he was sitting behind the driver in the vehicle. The petitioner has no concern with the seized liquor or the driver of the vehicle. The petitioner was not aware of the contents of the material loaded in the vehicle. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 23.12.2023.

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

6. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner as also the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Kochadhaman P.S. Case No. 318 of 2023.

(Rudra Prakash Mishra, J)

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