

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14312 of 2024

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

Hasmuddin Mian S/o Wakil Mian Resident of Village- Fatehpur, P.S.- Nautan,
District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Rajesh Kumar, 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 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, 76.95 liters
liquor was recovered from tempo.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. 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. Name of the petitioner
transpired from the confessional statement of co-accused person



and the petitioner is neither owner nor driver of the vehicle. The petitioner is in custody since 23.12.2023 and has got four criminal antecedents in which the petitioner is on bail. 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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