

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16864 of 2024

Arising Out of PS. Case No.-285 Year-2023 Thana- KURSAKANTA District- Araria

Md. Arman S/O- Md. Sajjad R/O- Village- Dhengri, Ward No.- 1, P.S.-
Bardaha, Dist.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Adv.

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

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

ORAL ORDER

2 07-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Kurasakanta P.S. Case No. 285 of 2023 instituted for the
offences under Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

3. As per prosecution case, the police has recovered
total 110 liter illicit wine from the Alto car.

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
on mere suspicion. He further submits that nothing
incriminating has been recovered from the conscious possession



of the petitioner. The petitioner has no concern with the seized liquor or the alleged car. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner is languishing in judicial custody since 17.12.2023.

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

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and 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 Kurasakanta P.S. Case No. 285 of 2023.

(Rudra Prakash Mishra, J)

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