

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16195 of 2024

Arising Out of PS. Case No.-59 Year-2023 Thana- BHAIKAVSHTHAN District- Madhubani

Indal Kumar Sah @ Indal Sah Son of Ramchandra Sah Resident of Village-
Bikarmsher, P.S.- Andhramath, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Md. Iftekhar Mahmood, APP

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

ORAL ORDER

2 06-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Bhairavshthan P.S. Case
No. 59 of 2023, instituted for the offences punishable under
Sections 272, 273, 414 of the Indian Penal Code, Sections 30(a)
and 41 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 1349.640
liters liquor was recovered from two vehicles.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case.
Charge-sheet has been submitted in this 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. It is further submitted that petitioner is not named in F.I.R. and he is not owner of the seized vehicles. The fast-tag in the recovered vehicle was in the name of the petitioner. The petitioner is in custody since 29.11.2023 and has got one 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 Bhairavshthan P.S. Case No. 59 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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