

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24129 of 2024

Arising Out of PS. Case No.-291 Year-2023 Thana- BARHIYA District- Lakhisarai

Md. Istkar @ Sharukh @ Md. Sharukh son of Md. Najir @ Md. Jajir Khan
Moh- Bajidpur pathan Toli Ps- Nagar Dist-Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate

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

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

ORAL ORDER

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

2. The petitioner seeks bail in connection with Barahiya PS Case No. 291 of 2023 instituted for the offences under Section 30(a), 32 & 41 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 496.800 liters liquor was recovered from pick-up vehicle and the petitioner was apprehended on spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and 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. The petitioner is in custody since 14-12-2023 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C. Driver of the vehicle has been granted bail by this Court vide order dated 01-03-2024, passed in Cr. Misc. No. 14367 of 2024.

5. Learned A.P.P. 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, clean antecedent of the petitioner, claim based on parity 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Barahiya PS Case No. 291 of 2023.

(Rudra Prakash Mishra, J)

Raj kishore/-

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