

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36150 of 2024

Arising Out of PS. Case No.-73 Year-2024 Thana- MIRGANJ District- Gopalganj

Mohammad Afzal Son Of Mazrul Haque Resident Of Amethi Khurd, P.S. -
Thawe, District - Gopalganj, Bihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashwat Srivastava, Adv.

For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 13-05-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Mirganj P.S. Case No. 73 of 2024 dated 29.02.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 207 litres of illicit country made liquor was recovered from the Scorpio vehicle. It is alleged that the petitioner tried to flee away from the said vehicle but he was apprehended.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is neither the owner nor the driver of



the said vehicle and he has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. As per impugned order dated 30.03.2024, the petitioner is in custody since 01.03.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gopalganj in connection with Mirganj P.S. Case No. 73 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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