

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36654 of 2024

Arising Out of PS. Case No.-69 Year-2024 Thana- Excise P.S. District- Saran

Md. Hasnain @ Aale Hasan Son Of Rabul Hasan Resident Of Village - House
No.24, Sultanpur Majri, P.S. - Bahadrabad, District - Haridwar (Uttarakhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

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

ORAL ORDER

2 21-05-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Sadar
Excise PS Case No. 69 of 2024 instituted for the offences under
Sections 30(a), 32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 191.250 liters
foreign liquor was recovered from car and the petitioner was
arrested on the 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. It is submitted



that petitioner is the driver of the vehicle and petitioner was unaware of the fact that illicit liquor was laden in the vehicle. The petitioner is in custody since 15-03-2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C. Other co-accused has been granted bail by this Court *vide* order dated 17-05-2024, passed in Cr. Misc. No. 37908 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 Sadar Excise PS Case No. 69 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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