

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39716 of 2024

Arising Out of PS. Case No.-24 Year-2024 Thana- BIHPUR District- Bhagalpur

Intejar Ali @ Md Intjaar Ali Son of Ilo Ali @ Iliyas @ Md Iliyas Ali R/o
Village-Narayanpur P.S.-Bhawanipur (OP), District-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Upadhyaya, Adv.
For the Opposite Party/s : Mr.Ahmad Ali, APP

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

ORAL ORDER

2 25-06-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Bihpur (Bhawanipur) P.S. Case No. 24 of 2024 registered
for the offences punishable under Section 30(a) of the Indian
Penal Code.

3. As per prosecution case, the police has recovered
total 133.920 liters Indian made foreign liquor from a bag near
Ganga river ghat.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. He further submits that nothing incriminating has
been recovered from the conscious possession of the petitioner



and his name has surfaced in this case on the basis of disclosures made by the co-accused persons namely Barun Yadav and Nitish Kumar. The petitioner has one criminal antecedent in which he is on bail. The petitioner has no concern with the alleged occurrence or the seized liquor. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. Charge-sheet has been submitted in this case.

5. Learned counsel for the petitioner further submits that the co-accused Nitish Kumar has been granted regular bail by this Court vide order dated 01.04.2024 passed in Cr. Misc. No. 23866 of 2024.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where



the case is pending/successor court in connection with Bihpur
(Bhawanipur) P.S. Case No. 24 of 2024, subject to the
conditions as laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

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