

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44084 of 2024

Arising Out of PS. Case No.-480 Year-2024 Thana- Excise P.S. District- East Champaran

Shabir Havari son of Late Sanullah Miyan Village- Sahdewa Ps- Raxaul Dist-
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prateek Tandon, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar, APP

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

ORAL ORDER

2 26-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Excise (Motihari) P.S.
Case No. 480 of 2024, instituted for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 31.125 liters
liquor was recovered from motorcycle 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 19.03.2024 and has got no 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 Excise (Motihari)
P.S. Case No. 480 of 2024.

(Rudra Prakash Mishra, J)

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