

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43223 of 2024

Arising Out of PS. Case No.-189 Year-2023 Thana- ANDHRAMATH District- Madhubani

Mohammad Azad @ Tirka Son Of Mohammad Usman@Usman Miyan
Village- Gadhiya, P.S.- Andharamath, Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jaishankar Kumar Yadav

For the Opposite Party/s : Mr.Zainul Abedin

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

ORAL ORDER

2 24-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Andhramath P.S. Case No. 189 of 2023 instituted for the
offences punishable under Sections 272, 273, 414, 34 of the
Indian Penal Code and Section 30(a) of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that total 128.100
liters of liquor was recovered from two motorcycles.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner was not apprehended on spot. The name of the
petitioner has come into light on the basis of confessional
statement of apprehended co-accused. No incriminating article



has been recovered from the conscious possession of the petitioner. The petitioner has got no concern either with the alleged recovery of liquor or with the vehicles in question. The petitioner is in custody since 03.04.2024 and has no criminal antecedent. Moreover, it is submitted that the other co-accused has already been granted bail by this Court vide order dated 17.02.2024 passed in Cr. Misc. No. 8922 of 2024. Petitioner has no knowledge regarding the alleged occurrence. There is no compliance of Section 100 of the 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 as well as 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 Andhramath P.S. Case No. 189 of 2023.

(Rudra Prakash Mishra, J)

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