

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53108 of 2024

Arising Out of PS. Case No.-48 Year-2016 Thana- NAUTAN District- West Champaran

ISHTYAK MIAY @ ISHTAQUE @ ISHTYAK MIYAN @ ISHTAK
MIYAN @ SHEIKH ISHTAK SON OF HASMULLAH MIYAN VILLAGE-
SHEIKH TOLI, P.S.- NAUTAN, DISTT.- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Manoj Kumar, APP

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

ORAL ORDER

2 25-07-2024 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 Nautan (Jagdishpur) P.S. Case No. 48 of 2016 dated 03.03.2016 registered for the offences punishable under sections 467, 468, 471, 420, 307, 120B, 414, 272 and 273 of the Indian Penal Code and Section 47(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 3800 litres of illicit liquor was recovered from the underground tank belonging to the co-accused person Indrashan Sah.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has surfaced in this case



merely on the basis of suspicion. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery rather the recovery has been made from the co-accused Indrashan Sah. The similarly situated co-accused person has been granted bail vide order dated 21.12.2023 in Cr. Misc. No. 77831 of 2023. The petitioner has antecedent of three criminal cases and he is acquitted in one case as stated in para 3 of the bail petition. The petitioner is in custody since 11.05.2024.

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, Bettiah, West Champaran in connection with Nautan (Jagdishpur) P.S. Case No. 48 of 2016.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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