

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52809 of 2024

Arising Out of PS. Case No.-59 Year-2024 Thana- YADOPUR District- Gopalganj

Sakir Miya Son of Ros Mohammad R/O Vill.- Nandlal Mathiya, P.O. and
P.S.- Kuchaikote, Dist.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Adv
For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

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

ORAL ORDER

2 23-07-2024 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 Jadopur/ Yadopur P.S. Case No. 59 of 2024 dated 14.04.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 538 litres of illicit country made liquor was recovered from the *bank of the Gandak River*.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The recovery has been made from an open place



which is accessible to anyone. The petitioner has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has two criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 09.05.2024.

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 nature of allegation levelled against the petitioner and 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, Gopalganj in connection with Jadopur/ Yadopur P.S. Case No. 59 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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