

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51905 of 2024

Arising Out of PS. Case No.-61 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

For the Opposite Party/s : Mr.Nitya Nand Tiwary

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 30-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Yadopur P.S. Case No. 61 of 2024 registered for the offence
punishable under Section-30(a) of Bihar Prohibition and Excise
(Amendment) Act, 2022.

3. As per allegation, the informant and police party
apprehended one person with Four wheeler vehicle. The
apprehended person disclosed his name as Sakir Miya and on
search, 1035 litres of country-made liquor containing in 115
cartoons kept in Pick up van has been recovered.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and he has falsely been implicated



in this case. Nothing has been recovered from conscious possession of the petitioner. It has further been submitted that there is no compliance of Section 100(4) of the Cr.P.C. The petitioner is in custody since 17-04-2024.

5. Learned APP has opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances as also the recovery of liquor in huge quantity and criminal antecedent, presently I am not inclined to grant bail to the petitioner and accordingly, the same is rejected.

7. However, if so advised, the petitioner may renew his prayer for bail after nine months from today.

(Nawneet Kumar Pandey, J)

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