

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47732 of 2023

Arising Out of PS. Case No.-533 Year-2023 Thana- ALAMGANJ District- Patna

MD. SAHRUKH Son of Md. Sarfudhin Resident of mohalla - Alamganj
Pathan Toli, P.s. - Alamganj, Distt. - Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Krishna Jha

For the Opposite Party/s : Mr. Murli Dhar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 03-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Sections 341, 323, 324, 307, 332, 333, 354 and 34 of the Indian Penal Code and Sections 30(a), 36,41(i) and 45 of the Bihar Prohibition and Excise Act.

3. As per allegation in the FIR, on getting information that two persons are selling wine at the bank of River Ganga at Raja Ghat when the informant reached there, two persons having with wine tried to escape but one was caught hold and one person managed to escape. The caught hold person tried to escape after teeth bite to constable Nishant Kumar and again tried to caught hold but after picking up brick threw against constable on the head due to which he sustained injury but any how he was apprehended who disclosed his name as petitioner and total 140 liters country



made wine was recovered along with one Hero Honda Motorcycle.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. Petitioner has no any concern with the alleged recovery of wine nor vehicle in question belongs to him. It is further submitted that nothing incriminating article has been recovered from the conscious possession of the petitioner. So far as the injury of the injured is concerned, is simple in nature and one abrasion. Petitioner is languishing in judicial custody since 14.06.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise, Patna City in connection with Alamganj P.S. Case No. 533 of 2023.

(Sunil Kumar Panwar, J)

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