

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55414 of 2024

Arising Out of PS. Case No.-11 Year-2024 Thana- CHANDAN District- Banka

Mahboob Aleem @ Mahboob Alim Son of Saiyad Abdul Alim @ Saiyad Abdul R/O ward no. 08, Jalkura, P.s.- Khagaria, Dist.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 09-08-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in connection with Chandan P.S. Case No. 11 of 2024 instituted for the offences under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 360 litres liquor was recovered from the pickup van.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. Petitioner is not named in the FIR. Name of the petitioner sprung in this case on the basis of



confessional statement of co-accused, Dharmendra Kumar, who has been enlarged on bail by this Court vide order dated 22-03-2024, passed in Cr. Misc. No. 23485 of 2024. The petitioner has got no concern with the alleged recovery of liquor. The petitioner has no criminal antecedent. 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, let the petitioner above named, in the event of arrest/surrender before the learned Court below within a period of six months from today, be released on anticipatory 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 Chandan P.S. Case No. 11 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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