

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63522 of 2024

Arising Out of PS. Case No.-398 Year-2024 Thana- CHAPRA MUFFASIL District- Saran

Subhan Bhai, Son of Tamasi Bhai @ Tamasi Bhai Kumar, Resident of
Village- Jordiyali, P.S.- Mawasari, District- Bannas Kantha, Gujrat

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar, Advocate

For the Opposite Party/s : Ms.Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 26-10-2024 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 274, 275, 3(5) of Bhartiya Nyay Sanhita (BNS), 2023 and Sections 30(a), 32(1), 32(2), 36 and 41 of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that altogether 5832 liters of foreign liquor was recovered from a truck. The petitioner is said to be the driver the truck.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The alleged liquor does not belong to him. Nothing incriminating article has been recovered from his conscious



possession. It is not the case of the prosecution that he is the king-pin. Petitioner is having clean antecedent and he is in judicial custody since 03.07.2024.

5. Learned APP appearing for the State has opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, 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 1st Special Judge, Excise, Saran in connection with Chapra (m) P.S. Case No. 398 of 2024.

(Ashok Kumar Pandey, J)

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