

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69440 of 2024

Arising Out of PS. Case No.-86 Year-2024 Thana- BALIA BELON District- Katihar

1. Md. Jabir Son of Late Sarfuddin Resident of Village- Chhote Rampur, PS -Raniganj, District- Araria
2. Md. Shamshad Alam @ Md. Shamsad Son of Md. Tajuddin Resident of Village- Barbanna, PS -Raniganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Pandey
For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 25-09-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Balia Belon P.S. Case No. 86 of 2024 dated 24.07.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 204.405 litres of illicit foreign liquor was recovered from the Cargo Bajaj Tempo and motorcycle.

4. Learned counsel for the petitioners has submitted that the petitioner are innocent and have falsely been implicated in this case. The petitioner no.1 is the driver and the petitioner



no.2 is the khalasi of the seized vehicle and they have no concern with the alleged recovery. The petitioners are not the owner of the seized vehicles. Nothing has been recovered from the conscious possession of the petitioners. The petitioners have no criminal antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 25.07.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Katihar in connection with Balia Belon P.S. Case No. 86 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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