

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71215 of 2024

Arising Out of PS. Case No.-57 Year-2021 Thana- KALYANPUR District- Samastipur

Md. Prawez @ Md Parvej S/o Md Shamim R/o vill - Bhuta Chowk Gopalpur,
P.S. - Kalyanpur, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr. Dilip Kr. No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-10-2024 Heard learned counsel for the petitioner and Mr. Dilip
Kr. No. 1, learned APP for the State.

2. The petitioner seeks bail in connection with a case registered for the offence punishable u/s 30(a)/41(i)(ii)/47 of Bihar Prohibition and Excise Act, 2016.

3. Earlier, the petitioner had filed anticipatory bail vide Cr. Misc. no. 51616 of 2023, which was allowed on 11.08.2023 at the instance of the petitioner that he will deposit Rs. 75,000/- in the Patna High Court Legal Services Committee but eventually, he could not manage to deposit the amount agreed and then he surrendered before the learned court below on 28.08.2024. Therefore, now the petitioner has filed the instant application for grant of regular bail.



4. Allegedly, total 1865.520 liters of foreign liquor is said to have been recovered from a truck and two persons were apprehended, who disclosed the name of the petitioner and other accused persons as their associates.

5. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. He has been falsely implicated in this case at the instance of his enmity. His name transpired in this case on the statement of the apprehended co-accused. Petitioner has neither apprehended nor any incriminating article has been recovered from his conscious physical possession. He has no concern either with the seized liquor or any trade of liquor. The alleged truck does not belong to the petitioner. The petitioner has no criminal antecedent as mentioned in Para 3 of the bail application and he is under custody since 28.08.2024

6. Learned APP for the State opposed the prayer for bail.

7. Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is



pending/the Successor Court, in connection with Kalyanpur
P.S. Case No. 57 of 2021.

(Anjani Kumar Sharan, J)

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