

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70766 of 2024

Arising Out of PS. Case No.-249 Year-2021 Thana- BAISI District- Purnia

Syed Abu Ekram @ Syed Abu Ekrameh @ Syed Abu Ekaramah Son of Late
Syed Shahabuddin Resident of Village - 80A/13 Topsia Road, P.S. - Tiljala,
District - Kolkata (W.B), Present Resident of Village - Hasan Saray, P.S. -
Baligaon, District - Vaishali (Bihar) Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Adv
For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 26-09-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Baisi P.S. Case No. 249 of 2021 dated 31.08.2021 registered for the offences punishable u/s 272 and 273 read with section 34 of the Indian Penal Code and Section 30(a), 38, 41 and 47 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 5000 litres of spirit was recovered from the truck.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no concern with the alleged recovery. The name of the petitioner has transpired merely on



the basis of owner of the said seized vehicle. Nothing has been recovered from the conscious possession of the petitioner. Similarly situated co-accused has already been granted anticipatory bail by this court *vide* order dated 07.12.2023 passed in Cr. Misc. No. 75230 of 2023. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 24.08.2024.

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

6. Considering the aforesaid facts and circumstances of the case and the nature of allegation levelled against the petitioner as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Purnea in connection with Baisi P.S. Case No. 249 of 2021.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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