

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72579 of 2024

Arising Out of PS. Case No.-97 Year-2024 Thana- VISHAMBHARPUR District- Gopalganj

Mutur Ali @ Murtuza Ali @ Mutar Ali, aged about 37 years, Male, S/o
Moeen Miya, R/o vill - Harpur, P.s. - Barhariya, Distt. - Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Amir Alam, Advocate

For the Opposite Party : Mr. Ram Naresh Ray, A.P.P.

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

ORAL ORDER

3 25-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Vishambharpur P.S. Case No. 97 of 2024 dated 28.07.2024
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 261 litres of illicit
country made liquor was recovered from the dickey of the
Scorpio vehicle.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. The petitioner is neither the owner nor the driver of
the said vehicle. No incriminating article has been recovered



from his possession. He has simply hired the said vehicle on rent. He had no knowledge that the illegal liquor was kept in the said vehicle. The other co-accused persons Bipin Singh and Robin Giri have already been granted bail by a Bench of this Court vide Cr. Misc. No. 68467 of 2024 under order dated 25.09.2024. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 28.07.2024.

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 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 A.D.J.-IV, Gopalganj in connection with Vishambharpur P.S. Case No. 97 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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