

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71542 of 2024

Arising Out of PS. Case No.-131 Year-2024 Thana- FALKA District- Katihar

Kamal Hussain Son of Majid Ali @ Majad Ali R/o Village- Altapur, P.S.-
Karandibi, Distt.- Uttar Divajpur (West Bengal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Adv.

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala,APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 18-10-2024 Heard the parties.

2. The accused/petitioner seeks bail in connection with Falka P.S. Case No.131 of 2024 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. The petitioner is named in the FIR and is in custody since 16.07.2024.

4. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 132.390 liters of IMFL/country-made liquor.

5. It is submitted by learned counsel appearing for the petitioner that petitioner has been falsely implicated with



present case, as he took a lift from the driver of alleged truck carrying consignment of illicit liquor for the short destination, where nothing surfaced during the course of investigation that petitioner was connected in any manner with alleged vehicle or illegal liquor, which alleged to be recovered from alleged white color four wheeler. While concluding argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is already completed and as such there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer for grant of bail to the petitioner.

7. In view of aforesaid facts and circumstances, as petitioner *prima facie* not appears to be connected in any manner with vehicle in issue or also with recovered illicit liquor, where petitioner is in custody since 16.07.2024, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and



Sessions Judge-cum-Excise Court No.2, Katihar in connection with Falka P.S. Case No. 131 of 2024, subject to the conditions as laid down under Section 437(3) of the CrPC/under Section 480(3) of the BNSS.

(Chandra Shekhar Jha, J)

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