

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75331 of 2023

Arising Out of PS. Case No.-939 Year-2023 Thana- AHIYAPUR District- Muzaffarpur

Manga Ram Son Of Chuna Ram Resident Of Huddu Sarno Dhani Kerli Baas,
P.S. - Sendehi, District - Badmer, Rajasthan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Sumit Shekhar Pandey, Advocate
For the State : Mr. Md. Nazir Ansari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 20-02-2024 Heard learned counsel for the petitioner and learned APP
for the State and perused the case diary.

2. The petitioner seeks bail in connection with Ahiyapur P.S. Case No. 939 of 2023 instituted for the offence under Sections 420, 467, 468, 471, 414, 120-B of the Indian Penal Code and Sections 30(a)(b), 32(ii)(iii), 36, 41(i)(ii) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per prosecution case, there is recovery of total 10567.800 liters of illicit foreign liquor from three vehicles.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 30-07-2023. Petitioner is stated to be man of clean antecedent.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. Petitioner has no concern with the alleged recovered liquor. Petitioner is the driver of the vehicle in question. He is not the owner of the vehicle. Petitioner was oblivious of the fact that illicit liquor was laden on the vehicle. There is no compliance of Section 100 of the Code of Criminal Procedure, 1973. Charge sheet has already been submitted in the instant case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and clean antecedent of the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Ahiyapur P.S. Case No. 939 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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