

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72941 of 2024

Arising Out of PS. Case No.-851 Year-2023 Thana- Excise P.S. District- Siwan

=====

Mohamad Aehsan Rai @ Md. Ehsan Rai W/o- Md. Fakruddin Ray @ Rai
Fakarudeen Resident of Village - Bhawrajpur, P.S. - Andar, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

=====

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

ORAL ORDER

2 04-10-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Siwan
PS Case No. 851 of 2023 instituted for the offences under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 643.680 liters
liquor was recovered from the Scorpio vehicle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. Petitioner is the
owner of the vehicle in question. The petitioner is in custody



since 22-08-2024 and has got two criminal antecedents. There is no compliance of Section 100 of Cr.P.C. Other co-accused has been granted bail by this Court vide order dated 15-02-2024, passed in Cr. Misc. No. 8023 of 2024.

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

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. 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 Siwan PS Case No. 851 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

U		T	
---	--	---	--

