

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75354 of 2024

Arising Out of PS. Case No.-276 Year-2023 Thana- MOTIPUR District- Muzaffarpur

Anish Ahmad son of Md. Mateen Village- Dingarpur PS -Mainather Dist
-Moradaba UP

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Pronoti Singh, APP

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

ORAL ORDER

2 25-10-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Motipur PS Case No. 276 of 2023 instituted for the offences
under Sections 30(a), 31, 32(i)(ii), 36,41(i)(ii) of the Bihar
Prohibition and Excise Amendment Act 2018.

3. The prosecution case, in short, is that total 516.750
liters of foreign liquor was recovered from the truck.

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. The petitioner is



the driver of the vehicle in question. The petitioner is in custody since 16.07.2024 and having no criminal antecedent. There is no compliance of Section 100 of Cr.P.C. The other co-accused has been granted bail by this Court vide order dated 17.02.2024 passed in Cr. Misc. No. 8584 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, clean antecedent of the petitioner 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 learned Special Judge (Excise) Court No.-II, Muzaffarpur in connection with Motipur PS Case No. 276 of 2023.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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