

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75524 of 2024

Arising Out of PS. Case No.-411 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champaran

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Md. Bitu S /O Md. Soeyab R/O Village - Raisingha ,P.S.- Muffasil District
,East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sucheta Yadav, APP

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

ORAL ORDER

2 22-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Muffasil
P.S. Case No. 411 of 2024 instituted for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 50 litres
of illicit liquor has been recovered from motorcycle.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious



possession of the petitioner. Learned counsel further submitted that petitioner is not the driver of the vehicle. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 29.08.2024 and has two criminal antecedents. There is no compliance of Section 100 of the Cr.P.C.

5. Learned APP 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 Muffasil P.S. Case No. 411 of 2024.

(Rudra Prakash Mishra, J)

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