

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80167 of 2024

Arising Out of PS. Case No.-157 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champanan

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Md. Bitu @ Md. Bittu S/o- Md. Swaif @ Md. Shoyab @ Md. Shawaif @
Shoaib Resident of Village- Raysingha, Raysinha, P.S.- Muffasil, District-
East Champanan

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh
For the Opposite Party/s : Mr.Arun Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 13-12-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Muffasil P.S. Case No.
157 of 2024 dated 05.04.2024 registered for the offences
punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 30 litres of illicit
country made liquor was recovered from a plastic sack kept
between the co-accused and the petitioner.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. The name of the petitioner has transpired in this case
merely on suspicion. The petitioner is not the owner of the said
vehicle and he has no concern with the alleged recovery. The



name of the petitioner has sprung up in the confessional statement of the co-accused, Sharma Paswan. The other co-accused person has already been granted bail by this court *vide* order dated 14.05.2024 passed in Cr. Misc. No. 36492/2024. The petitioner has two criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 21.09.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran, Motihari in connection with Muffasil P.S. Case No. 157 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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