

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79822 of 2024

Arising Out of PS. Case No.-7 Year-2022 Thana- DURGAWATI District- Kaimur (Bhabua)

Firoz Son of Nawsher Ali R/o- Ward No. 11, Mohalla- Moosham Khani, P.S.-
Kithor, District- Merath (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aquaib Khan, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

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

ORAL ORDER

2 14-11-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Durgawati PS Case No. 07 of 2022 instituted for the offences
under Sections 30(a) and 41(1) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 237.525
litres of English liquor was recovered from magic pick-up

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. It is submitted
that petitioner is the owner of the vehicle in question and has no



knowledge regarding the nature of goods laden in the vehicle.
The petitioner is in custody since 11.09.2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

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) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Durgawati PS Case No. 07 of 2022.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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

