

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81798 of 2024

Arising Out of PS. Case No.-148 Year-2024 Thana- Bikramganj Excise District- Rohtas

Md. Zaved S/o Md. Akhlakh @ Akhlakh Ahamad R/o vill - Maliyabag Semri,
P.S. - Dawath, Distt.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Kumar Mishra, Adv.

For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

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

ORAL ORDER

2 02-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bikramganj Excise P.S. Case No. 148 of 2024 instituted for
the offences under Section 30(a)/62 of the Bihar Prohibition
and Excise (Amendment) Act, 2018.

3. As per prosecution case, the police has recovered
total 42.645 litres of illicit foreign liquor from the house of the
petitioner.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has committed no offence as
alleged against him and has falsely been implicated in the



present case due to ulterior motive and high-handedness of the police party. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner rather the seized liquor was recovered from the house which was joint family property. The petitioner has no concern with the alleged occurrence. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 26.09.2024 without any rhyme or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Bikramganj Excise
P.S. Case No. 148 of 2024.

(Rudra Prakash Mishra, J)

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