

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82583 of 2024

Arising Out of PS. Case No.-1887 Year-2024 Thana- Excise P.S. District- Muzaffarpur

Md Shamshad Sah @ Md. Shamshad Shah S/o Riyajut Sah R/o village-
Raghopur Mahdaiyan, P.S- Meenapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate
For the Opposite Party/s : Mr. Abhay Kumar, APP

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

ORAL ORDER

2 04-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
(Muzaffarpur) P.S. Case No. 1887 of 2024 instituted for the
offences punishable under Sections 30(a), 32(3) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 1190
litres of liquor has been recovered from tractor. Petitioner has
been arrested on the spot.

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 neither the owner nor the driver of the vehicle. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 20.10.2024 and has two criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

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 Excise (Muzaffarpur) P.S. Case No. 1887 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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