

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86141 of 2024

Arising Out of PS. Case No.-1089 Year-2024 Thana- Excise P.S. District- Gaya

Md. Irfan Son of Late Md. Iqbal R/O-village- Tekari Road, Premtakies More,
P.S.- Kotwali, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

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

ORAL ORDER

2 17-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Excise P.S. Case No.
1089 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, 60 liters
liquor was recovered from the house of the petitioner and the
petitioner was apprehended on spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this 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. Learned counsel for the petitioner further submits that the alleged recovery was made from the joint house of the petitioner where other family members also reside. The petitioner is in custody since 18.10.2024 and has got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise P.S. Case No. 1089 of 2024.

(Rudra Prakash Mishra, J)

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