

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86196 of 2023

Arising Out of PS. Case No.-338 Year-2023 Thana- BABUBARHI District- Madhubani

Jal Mohammad S/o Md. Jaan R/o VILL-SATAGHARA, P.S- BABUBARHI,
DISTRICT-MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha

For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2.The petitioner has prayed for bail in a case registered for the offence punishable under sections 272, 273/34 and Section 30(a) and 41(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, one motorcycle and 86.040 liters illicit liquor were recovered from the co-accused Prem Kumar who disclosed the name of petitioner.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He has no any concern with the alleged recovery nor vehicle in question belongs to him. Neither the petitioner was



arrested on spot nor any incriminating article has been recovered from his conscious possession. Petitioner has got no criminal antecedent and he is languishing in judicial custody since 28.10.2023.

5. Learned APP appearing for the State has opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Session Judge-II-cum-Special Judge, Excise Act, Madubani in connection with Babubarhi P.S. Case No.338 of 2023.

(Sunil Kumar Panwar, J)

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