

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86233 of 2023

Arising Out of PS. Case No.-147 Year-2017 Thana- DAGARUA District- Purnia

Makshood @ Maksud @ Masud Anzar Son of Abubakar R/o vill - Gera Bari
Bazar, P.S. - Kohra, Distt. - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad

For the Opposite Party/s : Mr. Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-01-2024 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 30(a)/41 of the Bihar Prohibition and Excise Act.

3. As per allegation in the FIR, acting on a tip off, police party started to search the vehicles. During vehicle checking two accused namely, Khurshid Alam and Amit Kumar were apprehended with 27.750 liters IMFL loaded on Maruti Suzuki 800 bearing registration no. DL02CN5709. Apprehended accused persons disclosed the name of the petitioner as one of the associates.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has



committed no offence. He has no concern with the alleged recovery or with the vehicle in question. Co-accused, Khurshid Alam, on whose statement, name of petitioner has surfaced, has already been enlarged on bail by another coordinate Bench of this Court vide order dated 18.12.2017 passed in Cr. Misc. No. 18.12.2017 and the case of the petitioner stands on better footing to that of the co-accused. He is languishing in judicial custody since 9.11.2023.

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 Exclusive Special Judge (Excise-I), Purnia in connection with Dagarua P.S. Case No. 147 of 2017.

(Sunil Kumar Panwar, J)

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