

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86326 of 2024

Arising Out of PS. Case No.-374 Year-2024 Thana- SUGAULI District- East Champaran

Earshad @ Irshad S/o- Moharam Miyan Village-Singhiya Gumti ,Ward No
3 ,P.S-Banjariya ,District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

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

ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Sugauli P.S. case No.
374 of 2024 instituted for the offences under Section 30(a) of
the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 60.06 liters
liquor was recovered from the tempo.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present 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. The
tempo in question does not belong to the petitioner. It is further



submitted that petitioner is said to passenger of the said vehicle and he has no knowledge regarding the nature of goods kept in vehicle. The petitioner is in custody since 19.08.2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C. Co-accused have been granted bail by this Bench vide order dated 22.10.2024 passed in Cr. Misc. Nos. 74874 of 2024 and 75488 of 2024.

5. Learned A.P.P. 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 Sugauli P.S. case No. 374 of 2024

(Rudra Prakash Mishra, J)

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