

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2982 of 2024

Arising Out of PS. Case No.-669 Year-2023 Thana- DARBHANGA SADAR District-
Darbhanga

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Md. Rabbani Son Of Dilser Minya @ Md. Dilser Resident Of Village - Sonai,
P.S. - Khirhar, District - Madhubani

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jagjit Roshan
For the Opposite Party/s : Mr.Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in a case
registered for the offence punishable under sections
30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 767
litres of illicit liquor from a Scorpio vehicle bearing Reg.
No. DL-9CL-2266. Petitioner is alleged to be driver of
the aforesaid vehicle and was apprehended on spot.

It is submitted by learned counsel for the
petitioner that petitioner is innocent and he has falsely



been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. He has no concern in any manner from the alleged recovered illicit liquor. There is no independent witness of the alleged seizure. Moreover, the petitioner is languishing in judicial custody since 27.09.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated co-accused, namely, Abhinandan Kumar has been granted bail vide order dated 20.12.2023, passed in Cr. Misc. No. 82543 of 2023 by this Court.

In contra, learned A.P.P. appearing for State vehemently opposed the prayer of bail and submitted that petitioner was driver of the vehicle in question and he was apprehended on spot.

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 I, (Excise Act), Darbhanga in connection with Sadar P.S. Case No. 669 of 2023.

The petitioner is directed to deposit a sum of Rs. 10,000/-(Rupees Ten Thousands) in the concerned District Legal Services Authority.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs. 10,000/-(Rupees Ten Thousands) in District Legal Services Authority of concerned District.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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