

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5743 of 2024

Arising Out of PS. Case No.-238 Year-2023 Thana- MANIGACHI District- Darbhanga

Md. Azim @ Azim, Son Of Md. Islam Kuzara @ Md. Islam Resident Of
Village- Mahtor, Ps- Manighachhi, Dist- Darbhanga

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhimanyu Deo

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 16-02-2024 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Section 30(a) of the Excise Act.
3. The learned counsel for the petitioner submits that the petitioner has antecedent of two cases and the allegation is of total recovery of 2950.2 litres of liquor from a truck.
4. The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and he came to be implicated based on confessional statement of co-accused Ravindra Yadav in police custody, which does not have any evidentiary value. It is also submitted that Ravindra Yadav did



not take the name of the petitioner rather disclosed the name of one Nizam, but the police because of antecedent of the petitioner made him an accused, when petitioner is not Nizam rather Md. Azim @ Azim.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge-II, Excise Act, Darbhanga in connection with Manigachhi P. S. Case No.238 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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