

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4545 of 2025

Arising Out of PS. Case No.-200 Year-2024 Thana- Excise P.S. District- Madhepura

Md. Shakir Akhtar @ Md. Iftekhar @ Md. Iftikhar Son of Md. Jawed Akhtar
Resident of Village- Jhitkiya, Ward No.-05 @ Near Jama Masjid, Jhitkiya,
Ward No.-05, P.S.-Singheshwar, Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bambahadur Jha, Advocate
For the Opposite Party/s : Mrs. Shaheen Begum, APP

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

ORAL ORDER

5 05-05-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Madhepura Excise P.S. Case No. 200 of 2024 instituted for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that total 106.80
litres of cough syrup has been recovered from bamboo orchard.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner rather the recovery has been made
from an open place which is accessible to public at large. The



petitioner has got no concern with the alleged recovery of cough syrup. The petitioner is in custody since 29.11.2024 and has four criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP 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 Madhepura Excise P.S. Case No. 200 of 2024.

(Rudra Prakash Mishra, J)

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