

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11142 of 2025

Arising Out of PS. Case No.-23 Year-2024 Thana- Haraiya District- East Champaran

Md. Mustafa Son of Munnu Resident of village- Diggarpur Gured P.S-
Mainather, Dist- Moradabad, UP

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Siddharth Aditya

For the Opposite Party/s : Mr.Md. Shakir Ahmad

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 21-03-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Haraiya P.S. Case No. 23/2024 dated 27.10.2024 registered for the offences punishable u/s 30(a), 41(1), 31, 33, 38 and 47 of the Bihar Prohibition and Excise Act and Sections 318(4), 338, 336(3), 340(2) and 61(2) of the B.N.S.

3. As per the prosecution case, total 1000 litres of illicit spirit was recovered from the truck (container).

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is driver of the said vehicle. Nothing



has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 29.10.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran, Motihari in connection with Haraiya P.S. Case No. 23/2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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