

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26923 of 2025

Arising Out of PS. Case No.-578 Year-2024 Thana- SAUR BAZAR District- Saharsa

Md Javed S/o Md Suyeb @ Md Sueb @ Md. Suyed Resident of village-
Khokhshi, Ward no. 01, P.S.-Gwalpara, District-Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate

Mr. Pawan Kumar, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

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

ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sourbazar P.S. Case No. 578 of 2024, instituted for the offences
punishable under Sections 30(a) and 41 of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that, 220 liters
liquor was recovered from Scorpio car and the petitioner was
apprehended on spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this 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. Learned counsel for the



petitioner also submits that the petitioner is driver of the said vehicle in question and he has got no knowledge regarding nature of the goods loaded in the vehicle. The petitioner is in custody since 30.12.2024 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 15.04.2025 passed in Cr. Misc. No. 22543 of 2025. There is no compliance of Section 103 of the Bharatiya Nagarik 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sourbazar P.S. Case No. 578 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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