

Arising Out of PS. Case No.-573 Year-2024 Thana- SARAIYA District- Muzaffarpur

... .. Petitioner/s

Versus

... .. Opposite Party/s

For the Petitioner/s : Mr.Sanjay Kumar S.K.
For the Opposite Party/s : Mr.Md. Mushtaque Alam

4. Learned counsel for the petitioner submits that petitioner is not named in the FIR and during the course of investigation, motorcycle in question was seized with liquor in connection with Garkha P.S. Case No. 25 of 2025 under Section 30(a) of Bihar Prohibition and Excise Act, 2016 in which four accused persons including the petitioner were arrested and



thereafter petitioner was remanded in three more cases including the present case. Learned counsel further submits that petitioner is in custody since 11.04.2025. Petitioner bears criminal antecedent of three cases and he orally submits that petitioner is on bail in all the cases. Learned counsel orally submits that charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Basically, nothing has been recovered from the conscious possession of the petitioner. Petitioner is quite innocent and has falsely been implicated in the present case.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M-4th (West), Muzaffarpur in connection with Saraiya P.S. Case No. 573 of 2024, subject to following conditions:-

(i) One of the bailors shall be either father or



mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

vashudha/-

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