

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85032 of 2024

Arising Out of PS. Case No.-370 Year-2024 Thana- TARAIYA District- Saran

Azabuddin @ Ajbuddin S/o- Naushad Alee Resident of village- Dewdhi
Police station-Taraiya District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Mili Kumari, Adv.

For the Opposite Party/s : Mr.Dashrath Mehta, APP

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

ORAL ORDER

3 20-02-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Taraiya
P.S. Case No. 370 of 2024 instituted for the offences under
Sections 126(2), 115, 118(1), 117, 109, 132, 3, 5 of the B.N.S.
and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered
total 10 liters of country-made illicit liquor from the motorcycle
bearing Regd. No. BR-06A-0657. The petitioner and the co-
accused Khusbuddin were arrested on sport. It is further alleged
that the villagers tried their best to set free the apprehended
accused persons by throwing bricks, stones on the police party
causing injuries to the Informant and other constable.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case with false and frivolous allegations. The petitioner has not committed any offence as alleged in the F.I.R. He further submits that nothing incriminating has been recovered from the conscious/physical possession of the petitioner or from his house. The petitioner has got no concern with the motorcycle, in question, or the recovered liquor. Charge-sheet has been submitted in this case. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 17.09.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature. The petitioner is named in the F.I.R. and, hence, he does not deserve bail.

6. From perusal of the injury report, it appears that the injuries are simple in nature caused by blunt object.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case,



the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Taraiya P.S. Case No. 370 of 2024.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

