

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89311 of 2024

Arising Out of PS. Case No.-137 Year-2024 Thana- THAKURGANJ District- Kishanganj

Rizwan Alam @ Rizwan S/O Jamil @ Jamiluddin R/O Vill.- Darshana, Ward
no.- 1,P.S- Joki, Dist.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

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

ORAL ORDER

2 09-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Thakurganj P.S. Case No. 137 of 2024, instituted for the offences punishable under Sections 281, 324(4), 324(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 258.810 liters liquor was recovered from Swift car.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present 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 further submits that the petitioner was not arrested on the spot. Name of the petitioner has transpired in this case on as being owner of the said car in question and he had no knowledge regarding the goods being carried in his vehicle. The petitioner is in custody since 06.11.2024 and has got one criminal antecedent in which he is on bail. 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 Thakurganj P.S. Case No. 137 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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