

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90305 of 2024

Arising Out of PS. Case No.-261 Year-2024 Thana- PHULWARIYA District- Gopalganj

Sahjad Alam @ Patru @ Sahjad @ Patru S/o Jainul Haque @ Anul Haque R/o
Village- Paikauli Narayan, P.S.- Phulwariya, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra, Adv.
For the Opposite Party/s : Mr.Ram Sumiran Rai, APP

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

ORAL ORDER

2 18-02-2025 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 Phulwariya P.S. Case No. 261 of 2024 dated 24.10.2024 registered for the offences punishable u/s 317(5) of the B.N.S. and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 441 litres of illicit country made liquor was recovered from the Scorpio vehicle.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is neither the owner nor the driver of



the said vehicle and he has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has ten criminal antecedents in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 24.10.2024.

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, Gopalganj in connection with Phulwaria P.S. Case No. 261 of 2024 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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