

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28590 of 2020

Arising Out of PS. Case No.-113 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

ANWAR MIYA @ ANWAR HUSSAIN S/o Late Isha Miya Resident of
Village-Dharopali, P.S.-Sahebganj, District-Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyesh Kumar, Adv.

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-11-2020 Heard Mr. Priyesh Kumar, learned counsel for the
petitioner and Mr. Nawal Kishore Prasad, Additional Public
Prosecutor for the state through video conferencing.

2. Petitioner seeks regular bail in connection with
Sahebganj PS Case No. 113/2020 registered for the offence
punishable under Sections 272, 273, 414 of the IPC and Section
30(a) of Bihar Prohibition & Excise Act 2016.

3. The allegation, as per First Information Report, is that
the police on the basis of confidential report proceeded towards the
place of occurrence and recovered total quantity of 2100.390 litres of
illicit liquor from twelve different vehicles standing near the garden
of one Devendra Singh.

4. Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged and
he has falsely been implicated in this case on the basis of his name
having been disclosed by Chaukidar. Learned counsel further submits



that petitioner has got no criminal antecedents and he is not the owner of the vehicles standing near the garden of Devendra Singh. Learned counsel next submits that no illicit liquor has been recovered from the conscious possession of the petitioner or from the premises belonging to the petitioner.

5. Learned counsel also submits that petitioner is in custody since 22.06.2020.

6. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that no illicit liquor has been recovered from the conscious possession of the petitioner or from the premises belonging to the petitioner and the petitioner is in custody since 22.06.2020, I am inclined to grant regular bail to the petitioner.

7. Accordingly, let the petitioner, ANWAR MIYA @ ANWAR HUSSAIN be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Sahebganj PS Case No. 113/2020.

8. It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines of social distancing.

(Anil Kumar Sinha, J)

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