

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14190 of 2021

Arising Out of PS. Case No.-96 Year-2020 Thana- RAUTA District- Purnia

MD. MUSTAFA Son of Md. Zafar Resident of Village- BaghuaKol, P.S.-
Amour, District- Punea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, advocate
For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 22-07-2021

Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Rauta P.S. Case no.96 of
2020 registered under sections 272 and 273 of the Indian Penal
Code and section 30(a) of the Bihar Prohibition and Excise Act,
2016.

As per allegation in the F.I.R, on a search being
conducted, 84.24 litres of IMFL was recovered from the motor
vehicle wherein the petitioner was one of the occupants.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from his person
or possession. He has no concern either with the vehicle in
question or with the allegedly seized liquor. He is in custody



since 27.11.2020 and has no criminal antecedent. Investigation in the case has concluded.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner having remained in custody for seven months and not having any criminal antecedents, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Special Excise Case no.508 of 2020 (arising out of Rauta P.S. Case no.96 of 2020) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Purnea.

(Partha Sarthy, J)

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