

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18580 of 2021**

Arising Out of PS. Case No.-240 Year-2019 Thana- BARURAJ District- Muzaffarpur

GANDHI SAH son of Paras Nath Sah @ Parasnath Sah Resident of Village-
Dariya Chhapra P.S- Motipur, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar,
Mr. Priyanka Singh, Advocates.
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 17-06-2021 Heard Mr. Arun Kumar, learned counsel for the
petitioner and Mr. Jagdhar Prasad, Additional Public Prosecutor
for the State through video conferencing.

Petitioner seeks regular bail in connection with
Baruraj PS Case No. 240/2019 registered for the offence
punishable under Sections 272, 273 of the IPC and Sections
30(a) of Bihar Prohibition & Excise Act.

The allegation, as per First Information Report, is that
the police intercepted Tata Safari vehicle but the driver
succeeded in fleeing away leaving the vehicle on the road and
upon search the police recovered 258 litres of illicit liquor from
the said vehicle. Petitioner has been made accused on the basis
of his being owner of the vehicle.



Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been dragged in this case because he happens to be the owner of the vehicle. Learned counsel further submits that the vehicle is commercial one and was being plied by the petitioner on hire basis and he was not aware as to how the driver was using his vehicle.

Learned counsel further submits that petitioner has got no criminal antecedents and is in custody since 28.11.2020.

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 and he is in custody since 28.11.2020 having no criminal antecedents and further charge-sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, GANDHI SAH 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, Muzaffarpur in connection with Baruraj PS Case No. 240/2019.

It is made clear that at the time of furnishing bail



bonds, all the parties shall follow the guidelines of and
social/physical distancing and sporting masks.

(Anil Kumar Sinha, J)

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