

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32009 of 2021**

Arising Out of PS. Case No.-156 Year-2021 Thana- KHAJANCHI HAT District- Purnia

MD. SIRAJ @ SIRAJ S/O MD. YUNUS R/O MAJGAMA, P.S.-ARARIA,
DISTRICT-ARARIA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Fazle Karim, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 10-12-2021 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Mr. Ashok Kumar, the learned APP for the State.

The petitioner seeks regular bail in connection with K.Hat (Maranga) PS case no. 156 of 2021 instituted for the offences punishable under Sections 272, 273 of Indian Penal Code and 30(a) of Bihar Prohibition and Excise Act.

The allegation is regarding recovery of illicit liquor from a truck and a TATA Magic vehicle.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since



18.02.2021. The learned counsel for the petitioner has further submitted by referring to the present petition that the petitioner is not the owner of the vehicles in question and has been falsely implicated in the present case.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the vehicle in question, from which illicit liquor has been recovered, does not belong to the petitioner and moreover, considering the period of incarceration of the petitioner herein, I deem it fit and proper to admit the petitioner to the privilege of bail. Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Special Judge, Excise, Purnea in connection with K. Hat (Maranga) PS case no. 156 of 2021.

(Mohit Kumar Shah, J)

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