

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30524 of 2021**

Arising Out of PS. Case No.-141 Year-2017 Thana- SITAMARHI District- Sitamarhi

MD.FAIYAZ @ MD.FAIRIYAZ Son of Md. Jaheer Resident of Village -
Mehsaul Gote Ward No.4, P.S.- and Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar
For the Opposite Party/s : Mr.A.G.

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

2 09-12-2021 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with Sitamarhi PS case no. 141 of 2017 instituted for the offences punishable under Sections 272, 273 of Indian Penal Code & 30(a) of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 175.520 liters of illicit liquor from a hut situated outside the village.

The learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in the present case. The petitioner is stated to be remanded in the present case on 07.03.2020. The learned counsel for the petitioner has further submitted by referring to paragraph no. 11 of the present petition that the petitioner has no



concern either with the alleged illicit liquor seized by the police nor with the alleged place from where it has been seized.

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 illicit liquor has been recovered from a place, which apparently does not belong to the petitioner, 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 A.D.J. II-cum-Special Judge, Excise Act, Sitamarhi in connection with Sitamarhi PS case no. 141 of 2017.

(Mohit Kumar Shah, J)

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