

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44925 of 2021

Arising Out of PS. Case No.-35 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Purnia

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1. Wasuddin @ Md. Abasuddin S/O Alauddin R/O Village-Madanganj Mirjapur Ward No. 9, P.S-Pothia, District- Kishanganj.
 2. Md. Zafar Ali S/O Md. Jalauddin R/O Village-Madanganj Mirjapur Ward No. 9, P.S-Pothia, District- Kishanganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Adv.
For the Opposite Party/s : Mr.Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 15-12-2021 Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners seek regular bail in connection with C-1 Case No. 35 of 2021, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 873 liters of illicit liquor from a truck and the petitioners are stated to be the driver and khalasi of the truck in question..

The learned counsel for the petitioners has submitted that the petitioners are innocent, have been falsely implicated in the present case, are having a clean antecedent and they are languishing in custody since 15.2.2021. The learned counsel



for the petitioners has further submitted that the co-accused person has already been granted bail by this Court vide order dated 9.12.2021 passed in Cr. Misc. No.31006 of 2021.

Per contra, the learned APP 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 petitioners and taking into account the materials available on record as also considering the fact that the petitioners are merely the driver and khalasi of the truck in question and they were not knowing about the consignment, which has been loaded on the truck in question, as has been stated by the learned counsel for the petitioners, I deem it fit and proper to direct for release of the petitioners on regular bail.

Accordingly, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Purnea in connection with C-1 Case No. 35 of 2021.

(Mohit Kumar Shah, J)

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