

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36157 of 2020

Arising Out of PS. Case No.-178 Year-2020 Thana- PHULWARIYA District- Gopalganj

Tohid Khan Son of Nasir Khan, Resident of Village- Khan Bairiya, P.S.-
Uchakagaow, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-01-2021 Heard the learned counsel for the petitioner and

Mr. Navin Kumar Pandey , the learned A.P.P. appearing for the

State.

The petitioner seeks regular bail in connection
with Fulwariya P.S. Case No. 178 of 2020 for the offence
punishable under Sections 30 (a) (3), 41 (1) of the Bihar
Prohibition and Amendment Excise Act, 2018.

The allegation is regarding recovery of 54.720
liters of illicit liquor from a car and the petitioner was
apprehended by the police while he was trying to flee away.

The learned counsel for the petitioner has
submitted that the petitioner has been falsely implicated in the
present case, is having a clean antecedent and is languishing in
custody since 30.07.2020. The learned counsel for the petitioner



has further submitted, by referring to paragraph no. 7 of the present petition, that the car in question does not belong to the petitioner

Per contra, the learned Additional Public Prosecutor has vehemently opposed the prayer for regular bail, made by the petitioner.

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 statement made by the petitioner to the effect that the car from which the illicit liquor has been recovered, does not belong to the petitioner, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Spl. Judge Excise, Gopalganj in connection with Fulwariya P.S. Case No. 178 of 2020.

(Mohit Kumar Shah, J)

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