

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49189 of 2021**

Arising Out of PS. Case No.-516 Year-2020 Thana- DARBHANGA SADAR District-
Darbhanga

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MAHABIR @ KALE Son of Mam Chand Resident of Village - Jhajjar, P.S.-
City, Distt.- Jhajjar (Hariyana).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha
For the Opposite Party/s : Mr. Umeshanand Pandit

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 24-11-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 30 (a) of the Bihar
Prohibition & Excise Act.

As per the prosecution case, 478.8 liters of foreign
liquor was recovered from an ambulance and this petitioner was
travelling in the ambulance, who was apprehended on the spot.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. No incriminating article has been recovered from the
conscious possession of the petitioner and he is no way
concerned with the alleged recovery. Petitioner is neither driver
nor owner of the vehicle in question. Petitioner claims clean



antecedent and is in custody since 21.11.2020 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, 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 Additional Sessions Judge-II-cum- Special Judge, Excise Act, Darbhanga in connection with G.O. case No. 1276/2020, arising out of Sadar PS case No.516/2020.

(Prabhat Kumar Singh, J)

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