

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50023 of 2021

Arising Out of PS. Case No.-449 Year-2021 Thana- SARAIYA District- Muzaffarpur

SULTAN KHAN S/o Mukhtar Khan Resident of Village- Liekhera Jaitipur
Manpura, P.S.- Khatara, District- Shahjahanpur (U.P.)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh
For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-11-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 272, 273/34 of the Indian Penal Code and under Section 30 (a) of the Bihar Prohibition & Excise Act. .

As per the prosecution case, 2399 liter of foreign liquor has been recovered from a small container of which this petitioner was driver and he was arrested 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 as driver of the vehicle was not aware of the nature of consignment being



transported by the vehicle in question. Petitioner claims clean antecedent and is in custody since 24.06.2021 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 Special Judge, Excise Act, Muzaffarpur in connection with Saraiya PS case No.449/2021.

(Prabhat Kumar Singh, J)

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