

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40347 of 2020

Arising Out of PS. Case No.-176 Year-2020 Thana- BASOPATTI District- Madhubani

1. MD. MOJIBUL ALIAS MD. MAHIBUL SON OF MD. RAHMAT
RESIDENT OF VILLAGE - SIRAH, P.S. - BASOPATTI, DISTRICT -
MADHUBANI
2. SHID ANSARI @ SHAHID ANSARI SON OF ABID ANSARI @ AVID
ANSARI RESIDENT OF VILLAGE - SIRAH, P.S. - BASOPATTI,
DISTRICT - MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bhavesh Kumar Sah, Advocate
For the State	:	Smt. Nirmala Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-03-2021 Heard Mr. Bhavesh Kumar Sah, learned counsel for

the petitioners and Smt. Nirmala Kumari, learned Additional

Public Prosecutor appearing for the State.

Petitioners seek regular bail in connection with
Basopatti P.S. Case No. 176 of 2020 registered for the offences
punishable under Sections 272, 273 of the Indian Penal Code
1860 and Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

The allegation as per the First Information Report is
that the Police intercepted a Motorcycle on which the petitioners
were travelling and recovered 27 litres of illicit *Nepali* liquor
from the Motorcycle in question.



Learned counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and they have falsely been implicated in this case with ulterior motive. Learned counsel further submits that the Motorcycle from which the illicit Nepali liquor has been recovered, does not belong to the petitioners and the same belongs to the co-accused. Learned counsel also submits that the petitioners have got no criminal antecedent and they are in custody since 27.07.2020 and charge sheet has already been submitted in the matter.

Having regard to the submissions made by the parties and taking into consideration the materials on record, the fact that the petitioners have got no criminal antecedent and charge sheet has already been submitted in the matter as well as the petitioners are in custody since 27.07.2020, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge cum Special Judge, Excise Act, Madhubani, in connection with Basopatti P.S. Case No. 176 of 2020.



It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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