

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4417 of 2021

Arising Out of PS. Case No.-259 Year-2020 Thana- MAHARAJGANJ District- Siwan

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JAHANGIR HUSSAIN S/o Md. Hasnain @ Mohamad Hasnain R/o village-
Ageyan Mathiya, P.S.- Goreakothi, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 03.10.2020 in connection with Maharajganj P.S. Case No. 259/2020 registered for the offences punishable under Sections 30(a)/36/41(i) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 260.800 litres of foreign liquor has been recovered from one bolero car and mini truck which were parked beside the road and this petitioner along with other co-accused persons were arrested on the spot.

It is submitted on behalf of the petitioner that nothing has been recovered from the possession of the petitioner. Petitioner is neither the driver nor the owner of the vehicle in question and has been arrested by the police only on the basis of suspicion. Chargesheet has already been submitted in this case.



Petitioner has got no criminal antecedent and he is in custody since 03.10.2020.

Considering the aforesaid facts and circumstances and the fact that nothing has been recovered from the possession of the petitioner, coupled with the fact that petitioner bears clean antecedent, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Additional District and Sessions Judge, cum Special Judge, Excise, Siwan, in connection with Maharajganj P.S. Case No. 259/2020, subject to following conditions:-

- (1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.
- (2) If the petitioner tempers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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