

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4052 of 2021

Arising Out of PS. Case No.-670 Year-2020 Thana- MADHAURAH District- Saran

1. MD. IMRAN Son of Md. Raffik, Resident of Village-Gurer, P.S.-Mainadher, District-Moradabad (Uttar Pradesh)
2. MD. IMRAN, son of Md. Kayum Hussain @ Md. Kayum, Resident of Village-Gurer, P.S.-Mainadher, District-Moradabad (Uttar Pradesh)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ankur Prakash Sinha, Advocate

For the Opposite Party/s : Md. Sufyan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-03-2021 Heard Mr. Ankur Prakash Sinha, learned counsel for the petitioners and Md. Sufyan, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioners seek regular bail in connection with Madhaura P.S. Case No. 670 of 2020 registered for the offences punishable under Sections 30, 30(a), 38 and 41 of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation as per the First Information Report is that a container vehicle bearing registration No. UP-21-AN-2694 driven by the petitioner was intercepted and a total quantity of 1718.65 litres of illicit foreign liquor has been recovered from the same.



Learned counsel for the petitioners submits that petitioner No. 1 is driver of the vehicle and petitioner No. 2 is cleaner and at the time of occurrence the petitioner No. 1 was driving the vehicle. Learned counsel further submits that the petitioners at the instance of owner of the said container vehicle, was carrying the consignment and they were not aware about the illicit liquor being kept therein. Learned counsel next submits that the petitioners have got no criminal antecedents and they are in custody since 29.07.2020 and the charge sheet has already been submitted.

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 antecedents and they are in custody since 29.7.2020 as well as charge sheet has already been submitted in the matter, 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 Additional District & Sessions Judge-II-cum-Special Judge, Excise, Saran at Chapra, in connection with Madhaura P.S. Case No. 670 of 2020 subject to the



condition that one of the bailors shall be local resident residing within the territorial jurisdiction of the learned court below.

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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