

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.58715 of 2021**

Arising Out of PS. Case No.-390 Year-2020 Thana- SURSAND District- Sitamarhi

MD. TASLIM S/o Liyakat Ali Resident of Village- Khoda, P.S.- Khoda,  
District- Gaziabad U.P.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Virendra Kumar, Advocate

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      16-12-2021                      Heard the learned counsel for the petitioner and the  
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with  
Sursand P.S. Case No. 390 of 2020 for the offence registered under  
Sections 414, 467, 468, 471 and 120(B) of the Indian Penal Code  
and Sections 30(a), 36, 41 and 41(i) of the Bihar Prohibition and  
Excise Act.

The allegation is regarding recovery of huge quantity of  
illicit liquor from a truck and various vehicles. As far as Scorpio  
vehicle in question is concerned, 51.84 litres of illicit liquor was  
recovered and the petitioner is stated to be the owner of the said  
vehicle.

The learned counsel for the petitioner has submitted that  
the petitioner is innocent, has been falsely implicated in the  
present case, is having a clean antecedent and he is languishing in  
custody since 15.07.2021. The learned counsel for the petitioner



has referred to paragraph nos. 7 and 8 of the present petition to submit that he had sold the Scorpio vehicle to the co-accused person namely Md. Sahamat Ali Khan, however, registration of the vehicle could not be transferred in his name.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner is stated to have sold the vehicle in question and moreover he is stated to be languishing in custody since 15.07.2021, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to 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 learned A.D.J.-II-cum-Special Judge, Excise Act, Sitamarhi in connection with Sursand P.S. Case No. 390 of 2020.

**(Mohit Kumar Shah, J)**

S.Sb/-

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