

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2223 of 2022

Arising Out of PS. Case No.-270 Year-2021 Thana- KOCHADHAMAN District- Kishanganj

MD. SAHID @ SAHID PRADHAN @ SAHID REZA S/o Late Md. Din Ali
@ Late Md. Ali Resident of Dhanigachh, Sonapur, P.S.- Chopra, District-
Uttar Dinajpur (West Bengal)

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. RK Sharma, Sr. Advocate and
Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Dr. Kr Uday Pratap, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-03-2022 Heard learned counsel for the petitioner and the
State.

Petitioner seeks regular bail in a case registered for the
offence punishable under Section 30(a) and other sections of the
Bihar Prohibition and Excise Act and section 272/273 of the
IPC.

As per the prosecution case, 5319.36 liters of foreign
liquor was recovered from the truck. Apprehended persons
disclosed the name of the petitioner as their associates.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. No incriminating material has been recovered from the
conscious possession of the petitioner and he is no way



concerned with the alleged recovery. Petitioner is neither the owner nor the driver of the vehicle in question. Petitioner is in custody since 28.10.2021. Investigation is complete.

Learned counsel appearing for the State opposes the prayer for bail and submits that the petitioner has got criminal antecedent of similar nature as he is accused in ten cases of Excise Act.

Considering the fact that petitioner has got criminal antecedent of similar nature, prayer for bail of the petitioner is rejected.

However, Court below shall release the petitioner on bail to its satisfaction as and when charge is framed in the case.

(Prabhat Kumar Singh, J)

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