

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4786 of 2022

Arising Out of PS. Case No.-351 Year-2021 Thana- GAIGHAT District- Muzaffarpur

MD. MUJAMMIN S/o Md. Majid Sah R/o village- Charandei, P.S.- Araria,
District- Araria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan
For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-05-2022 Heard the parties.

Petitioner seeks regular bail in connection with Gaighat PS Case No. 351 of 2021 instituted for the offence under Section 272, 273, 414 , 420, 467, 468 , 471 / 34 of the IPC and Section 30 (a) , 36, 41 (1) of the Bihar Prohibition and Excise Act 2016.

691.500 liters of illicit liquor has been recovered from a Pick- Up Van, being driven by the petitioner.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case by the police with oblique motive. Learned counsel next submits that no illicit liquor has been recovered from the conscious possession and / or vehicle belonging to the petitioner. Learned counsel further submits that petitioner was driving the Pick Up Van at the instruction and instance of its owner and he was not aware about illicit liquor being kept therein. Learned counsel next submits



that during search and seizure procedures prescribed under Section 100 of the Cr.P.C. and the Excise Act have not been followed. Learned counsel next submits that petitioner has got no criminal antecedent, he is in custody since 04.10.2021, charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence if released on bail.

Regard being to the submissions made by the parties, taking into consideration the fact that petitioner is having clean antecedent, he is in custody since 04-10-2021 , charge sheet has already been submitted and there is no likelihood that petitioner will abscond or tamper with the evidence, as such, I am inclined to grant regular bail to the petitioner .

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur in connection with Gaighat PS Case No. 351 of 2021.

(Anil Kumar Sinha, J)

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