

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14252 of 2022

Arising Out of PS. Case No.-27 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Buxar

MD. NAZIM SAH S/o Mosibul Sah R/o Village- Kaudiya Raipur, P.S.-
Nanpur, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar

For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-05-2022

Heard the parties.

Petitioner seeks regular bail in connection with
Excise Case No. 27(O)/2022 registered for the offence
punishable under Sections 30(a) of Bihar Prohibition & Excise
(Amendment) Act, 2018.

The police recovered 74.700 litres of illicit liquor
from a tempo bearing Registration No. BR01PE-3654 being
driven by the driver/petitioner and the petitioner was arrested.

Learned counsel for the petitioner submits that the
petitioner is a driver of the tempo and he plies the same at the
instance of its owner and he being driver was not aware about
the illicit liquor being kept therein by its owner or by its
passengers. No illicit liquor has been recovered from his
conscious possession. He next submits that petitioner has got no



criminal antecedent and is in custody since 19.01.2022, the charge-sheet has been submitted in the matter and there is no likelihood that the petitioner will abscond or tamper with the evidences.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that the petitioner having no criminal antecedent is in custody since 19.01.2022, he being driver of the tempo was not aware about the illicit liquor being kept therein, no illicit liquor has been recovered from his conscious possession, the charge-sheet has been submitted in the matter and there is no likelihood that the petitioner will abscond or tamper with the evidences, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Court No.2, Buxar in connection with Excise Case No. 27(O)/2022.

(Anil Kumar Sinha, J)

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