

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15487 of 2022

Arising Out of PS. Case No.-67 Year-2022 Thana- MAIRWAN District- Siwan

TALIB HUSSAIN Son of Saheb Hussain Resident of Village - Ghanti, P.s.-
Bhatani, Distt.- Deoria , U.P.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Kant

For the Opposite Party/s : Mr.Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-05-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Mairwa Police Station Case No. 67 of 2022, registered for the
offence punishable under Section 30 (a) of the Bihar Prohibition
and Excise Act, 2016.

The prosecution case, as per the First Information
Report, is that 90 litres of illicit country-made liquor has been
recovered from a car, which was being driven by the petitioner.

Learned Counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated in this case with oblique
motive. He further submits that the petitioner is the driver of the
car and he was driving the car at the instruction of its owner and



he was not aware about the illicit liquor being kept inside the car. He further submits that the petitioner is in custody since 17.02.2022, having no criminal antecedent, and charge sheet has already been submitted against him and as such there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions made on behalf of the parties and taking into consideration the materials on record and the fact that the petitioner is the driver of the car, charge sheet has already been submitted and the petitioner is in custody since 17.02.2022, having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Siwan, in connection with Mairwa Police Station Case No. 67 of 2022.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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