

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20068 of 2022

Arising Out of PS. Case No.-457 Year-2021 Thana- SUGAULI District- East Champaran

1. NAUSAD Son of - Md. Jamal Resident of Village - Muslim Alipur, P.S.- Barahat, Dist. - Banka.
2. MD. JIBRAIL @ MD. JIBRAL Son of - Md. Jamil Resident of Village - Raingaon Satihari, P.S. - Dhoraiya, District - Banka (Bihar).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arbind Kumar Singh

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-05-2022 Heard the parties.

Petitioners seek regular bail in connection with Sugauli PS Case No. 457/2021 registered for the offence punishable under Sections 420/467/468/471/120(B) and Section 30(a) 32(iii)/41 (i) of Bihar Prohibition & Excise Act 2016.

4428 litres of illicit liquor has been recovered from a truck bearing Registration No. RJ 07GA 3649 by the police and the petitioners were also arrested.

Learned counsel for the petitioner submits that the petitioners have falsely been implicated in this case and while petitioners were sitting at Fauzi Dhaba, they were told to transport some goods to Patna on payment, upon which the



petitioners agreed to execute the work. However, the truck was intercepted and the liquor was recovered from the same. Petitioner no.1 boarded the truck as *Khalasi* while petitioner no.2 as labour. Learned counsel further submits that no illicit liquor has been recovered from the conscious possession of the petitioners and they are in custody since 01.11.2021 having no criminal antecedents. The charge-sheet has already been submitted and there is no likelihood that the petitioners 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 no illicit liquor has been recovered from the conscious possession of the petitioners, they are in custody since 01.11.2021 having no criminal antecedents, the charge-sheet has already been submitted and there is no likelihood that the petitioners will abscond or tamper with the evidences. , I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1-East Champaran, Motihari in connection with Sugauli PS Case



No. 457/2021.

(Anil Kumar Sinha, J)

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