

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20420 of 2022

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

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MUSTKIM @ MOSTKIM Son of Md. Murshid Resident of Village -
kharihara, P.s.- Barahat, Distt.- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arbind Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-05-2022 Heard the parties.

Petitioner seeks 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 accused persons including the petitioner were arrested.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case merely on the
basis of suspicion. Petitioner being driver of the said truck was
not aware about the liquor kept therein and was driving the
vehicle at the instance of its owner. Learned counsel further
submits that no illicit liquor has been recovered from the



conscious possession of the petitioner. It is further submitted that today itself similarly situated co-accused persons, namely, Nausad And Md. Jibrail @ Md. Jibral have been granted bail by this Court *vide* Cr. Misc. No. 20068/2022. The petitioner is 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 similarly situated accused persons have been granted bail by this Court, no illicit liquor has been recovered from the conscious possession of the petitioner, he is in custody since 01.11.2021 having no criminal antecedent, the charge-sheet has already been submitted 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 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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