

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20980 of 2022**

Arising Out of PS. Case No.-580 Year-2017 Thana- KISHANGANJ District- Kishanganj

Noor Islam, Son Of Lachachu Islam Resident Of Village - Boalmari  
Goalpokhar, P.S.- Goalpokhar, District - Uttar Dinajpur, (W.B.)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rajeev Ranjan

For the Opposite Party/s : Mr. Umeshanand Pandit

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      28-09-2022                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner seeks bail in anticipation of his arrest in  
a case registered for the offences punishable under Section 30(a)  
of the Excise Act, 2016.

The learned counsel for the petitioner submits that the  
petitioner is a person with clean antecedent and the allegation is  
of recovery of 573.75 litres of liquor from a Tata pick-up from  
NH-31.

The learned counsel for the petitioner submits that the  
petitioner was not arrested from the spot, as such, nothing was  
recovered from his conscious possession. It is next submitted  
that the alleged vehicle is a commercial vehicle and the  
petitioner being owner came to be implicated despite the fact



that petitioner was completely unaware that the driver has misused the vehicle for such illegal purpose. It is also submitted that at the cost of repetition that petitioner is a person with clean antecedent.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Kishanganj P. S. Case No.580 of 2017, Special Case No.462 of 2017, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

**(Satyavrat Verma, J)**

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