

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39435 of 2021

Arising Out of PS. Case No.-334 Year-2021 Thana- ARARIA District- Araria

NAIYAR @ MD. NAIYAR @ MD. NAIYAR ALAM S/O MD.
AMINUDDIN @ ALIM R/O VILLAGE-RANGDAHA, P.S-ARARIA
(BAIRGACHHI), DISTRICT-ARARIA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-01-2022 Heard Mr. Ramesh Kumar Singh, learned counsel
for the petitioner and Mr. Abhay Kumar Roy, learned Additional
Public Prosecutor appearing for the State through video
conferencing.

Petitioner seeks regular bail in connection with Araria
(Bairgachhi) P.S. Case No. 334 of 2021 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

The allegation is that the Police on the basis of secret
information raided the under constructed house of co-accused
Md. Tohid and recovered 264.180 litres of illicit liquor from the
same. It has further been alleged that the informant came to
know that the petitioner and Md. Tohid were indulged in liquor



business.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of secret information received by the Police. No liquor has been recovered either from conscious possession of the petitioner or the premises belonging to him. Learned counsel further submits that co-accused Md Tohid from whose under constructed house, the illicit liquor was recovered, has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No.41669 of 2020. The petitioner is in custody since 23.4.2021 and charge sheet has already been submitted.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that no illicit liquor has been recovered either from conscious possession of the petitioner or the premises belonging to him, other co-accused person has been granted bail by a co-ordinate Bench of this Court, charge sheet has already been submitted and the petitioner is in custody since 23.4.2021, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to



the satisfaction of learned 2nd Additional Sessions Judge cum
Special Judge, Araria, in connection with Araria (Bairgachhi)
P.S. Case No. 334 of 2021, Special Case No. 451 of 2021.

It is made clear that at the time of furnishing bail
bonds all the parties shall follow the guidelines regarding social
distancing.

(Anil Kumar Sinha, J)

S.Ali/-

U		T	
---	--	---	--

