

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40593 of 2021

Arising Out of PS. Case No.-82 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Purnia

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1. SALAMAT S/o Late Harun Rashid Res of Vill- Purana Khagda, Ward No-20, P.S. and Dist- Kishanganj
 2. Md. Sher Ali S/o Late Harun Rashid Res of Vill- Sangbadi, Ward No. 14, P.S.- Pobiya, District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar, Adv.

For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-01-2022 Heard the learned counsel for the petitioner and
the learned APP for the State.

The petitioner seeks regular bail in connection with Baisi PS case no. C-1-82 of 2021 instituted for the offences punishable under Section 30(A), 56(B) of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 138.390 liters of illicit foreign liquor from a car. The petitioner no. 1 is stated to be the driver of the said car and the petitioner no. 2 is stated to be a passenger in the said car.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely



implicated in the present case, is having a clean antecedent and is languishing in custody since 29.04.2021.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, I deem it fit and proper to admit the petitioner to the privilege of bail. Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Special Judge (Excise) Purnea in connection with Birpur PS case no. C-1-82 of 2021.

(Mohit Kumar Shah, J)

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