

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41127 of 2021

Arising Out of PS. Case No.-124 Year-2021 Thana- KISHANGANJ District- Kishanganj

AJIJ @ MD. AJJEJ Son of Habibur Rahaman @ Md Habib Resident of
Village - Balu Nagdehi, Manjheli, P.S.- Ranipatra, Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Adv.

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-01-2022 Heard Mr. Ram Prawesh Kumar, learned counsel for
the petitioner and Mr. Humayou Ahmad Khan, Additional Public
Prosecutor for the State through video conferencing.

Petitioner seeks regular bail in connection with
Kishanganj PS Case No. 124/2021 giving rise to Special Case No.
102/2021 registered for the offence punishable under Sections
30(a)/41 (i) of Bihar Prohibition & Excise Act 2016.

The police recovered total quantity of 332.625 litres of
illicit liquor from a tractor which was standing in the bamboo
clump situated near graveyard. The petitioner is the owner of the
tractor.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case mainly because
he happens to be owner of the tractor. He next submits that the
tractor is being plied by the driver and the petitioner was not aware



about the illicit liquor kept therein by the driver who parked the tractor near graveyard.

He next submits that petitioner was not arrested from the spot or from the said tractor and he does not have any criminal antecedent. Petitioner is in custody since 26.05.2021 and the charge-sheet has been submitted in the matter.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that the petitioner is in custody since 26.05.2021 having no criminal antecedent, charge-sheet has been submitted in the matter and the trial is not likely to be concluded in near future due to pandemic, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, AJIJ @ MD. AJJEJ 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 2nd Additional Sessions Judge-cum-Special Judge, (Excise), Kishanganj in connection with Kishanganj PS Case No. 124/2021 giving rise to Special Case No. 102/2021.

(Anil Kumar Sinha, J)

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