

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41347 of 2021

Arising Out of PS. Case No.-103 Year-2021 Thana- BAISI District- Purnia

MD. TASLIM Son of Ayub @ Ayubuddin Resident of Village- Hariyabara,
P.S.- Araria, Distt.- Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

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 P.S. Case No. 103/2021, registered for the offence punishable under Sections 272/273 of the Indian Penal Code and Section 30(a), 41 and 47 of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 107.625 liters of illicit liquor from a scorpio vehicle.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is



having a clean antecedent and he is languishing in custody since 27.3.2021. The learned counsel for the petitioner has further submitted that the petitioner is stated to be the assistant driver of the vehicle in question and the fact is that neither he is the owner nor the driver of the vehicle in question. The learned counsel for the petitioner has further submitted that the petitioner cannot be saddled with the liability of the illicit liquor recovered from the vehicle in question inasmuch as the petitioner was merely a passenger in the said vehicle.

Per contra, the learned APP 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 petitioner and taking into account the materials available on record as also considering the fact that the petitioner is neither the owner nor the driver of the said vehicle in question and he is languishing in custody since a long time, I deem



it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise) Purnea in connection with Special Excise Case No. 275/2021 (arising out of Baisi P.S.Case No. 103/2021).

(Mohit Kumar Shah, J)

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