

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41991 of 2021

Arising Out of PS. Case No.-110 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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MONU @ ABID KHAN Son of Mohammad Shakeel @ Mohammad Shakeel
Ahmad Resident of Village - Lava , P.S.- Patamda, Distt.- East Singhbhoom
(Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh, Adv.
For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-01-2022 Heard.

The petitioner seeks regular bail in connection with
Excise P.S. Case No. 110 of 2021, registered for the offence
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Act, 2016.

The allegation is regarding recovery of 792 liters of
illicit foreign liquor from a Mahindra pick up vehicle.

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 he is languishing
in custody since 19.3.2021. The learned counsel for the
petitioner has further submitted that the petitioner is the cleaner



of the pick up vehicle in question and has got no connection either with the ownership of the vehicle or the illicit liquor, as has been stated in paragraphs No. 11 and 14 to the present petition. It is further submitted that the petitioner being cleaner (Khalasi) of the pick up vehicle in question, was not knowing about the contents of the consignment having been loaded in the said vehicle.

Per contra, the learned APP appearing for the State has vehemently opposed the prayer for regular 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 fact that the petitioner is merely the cleaner of the vehicle in question and moreover, he is neither the owner nor the driver of the vehicle in question apart from the fact that he is having a clean antecedent and he is languishing in custody since a long time, I deem fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II cum Special



Judge, Excise Act, Gaya in connection with Excise P.S. Case
No. 110 of 2021.

(Mohit Kumar Shah, J)

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