

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.41736 of 2021**

Arising Out of PS. Case No.-141 Year-2021 Thana- MAIRWAN District- Siwan

AMZAD ANSARI Son of Imamuddin Ansari Resident of Village- Mathia  
Bathani, Police Station- Deoria, District- Deoria (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Raghav Prasad, Adv.

For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      03-01-2022      Heard.

The petitioner seeks regular bail in connection with Mairwa P.S. Case No. 141 of 2021, registered for the offence punishable under Sections 272,273, 420, 120(B) of the Indian Penal Code and Sections 30(a), 38(i) and 451(i) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 1800 liters of illicit liquor from a pick up van of which the petitioner is stated to be the driver.

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 27.5.2021. The learned counsel for the petitioner has further submitted that admittedly the petitioner is the driver of the pick up van in question and he was not having any knowledge about the contents of the consignment which



had been loaded on the said pick up van. It is further submitted that the petitioner has got nothing to do with the illicit liquor seized by the police nor he is owner of the pick up van in question.

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 not the owner of the pick up van in question and 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 2<sup>nd</sup> Addl. Sessions Judge-cum- Special Judge, Excise, Siwan in connection with Mairwa P.S. Case No. 141 of 2021.

**(Mohit Kumar Shah, J)**

Tiwary/-

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