

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42361 of 2021

Arising Out of PS. Case No.-101 Year-2021 Thana- BENIPATTI District- Madhubani

NOOR AZAM @ NOOR ALAM Son of Md. Azam Resident of Village -
Dewara Bandhauli, P.S.- Jale, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur
Mr. Shivam
For the Opposite Party/s : Mr. Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 01-02-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Benipatti Police Station Case No. 101 of 2021, registered for the offences punishable under Sections 272/273/414/34 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as per the First Information Report, is that the police intercepted three vehicles, i.e. one I-10 car, one scorpio and one pick-up van and recovered 90 litres, 450 litres and 1620 litres respectively and the petitioner is said to be sitting in the scorpio vehicle along with the owner of the scorpio vehicle.



Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case with oblique motive and he has got no criminal antecedent. He further submits that the owner of the pick-up van, from whose vehicle, a total quantity of 1620 litres of illicit liquor has been recovered, has been granted bail by co-ordinate Bench of this Court, vide order passed in Criminal Misc. No. 41986 of 2021. He further submits that the owner of the scorpio vehicle, from whose vehicle, a total quantity of 450 litres of illicit liquor, has been recovered, has been granted bail by this Court, vide order passed in Criminal Misc. No. 42065 of 2021. He further submits that the petitioner is in custody since 18.05.2021 and charge sheet has been submitted against the petitioner and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that the petitioner has got no criminal antecedent, he is in custody since 18.05.2021, co-accused persons have been granted bail by this Court, charge sheet has already been submitted and there is no likelihood of the trial being concluded in near future due to pandemic, I am



inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, Excise, Madhubani, in connection with Benipatti Police Station Case No. 101 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

