

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43447 of 2021

Arising Out of PS. Case No.-149 Year-2021 Thana- BAISI District- Purnia

MD SHAHBAZ Son of Md. Tayab Rahi Resident of Dagarua Ward No.08,
P.S.- Dagarua, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms.Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-03-2022 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Baisi P.S. Case No. 149 of 2021 giving rise to Special Excise
Case No. 384 of 2021 for the offence registered under Sections
272, 273 and 34 of the Indian Penal Code and Sections 30(a),
41 and 47 of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 49.950 litres
of illicit liquor from a motorcycle which was being driven by
the petitioner.

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 22.05.2021.



Per contra, the learned counsel 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 period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Purnea in connection with Baisi P.S. Case No. 149 of 2021 giving rise to Special Excise Case No. 384 of 2021.

(Mohit Kumar Shah, J)

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