

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46249 of 2021

Arising Out of PS. Case No.-93 Year-2021 Thana- OBRA District- Aurangabad

AYAZ AHAMAD S/o Gulam Bari R/o Mohalla- Old Kazi Mohalla, P.S.-
Town Aurangabad, P.O.- Aurangabad, Distt.- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar, Adv.

For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-02-2022 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Obra P.S. Case No. 93 of 2021, registered for the offence punishable under Section 30(a) of the Bihar Prohibition Act, 2018.

The allegation is regarding recovery of 560 liters of illicit liquor from a scorpio vehicle and the petitioner is stated to have been arrested from the spot.

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 4.5.2021. The learned counsel for the petitioner has further submitted that neither the scorpio vehicle belongs to the petitioner nor he has got anything to do with the illicit liquor recovered from the scorpio vehicle. It is also submitted that similarly situated co-accused person, namely, Ujjwal Kumar Mishra, has already been granted bail by a coordinate Bench of this Court vide order dated 10.2.2022 passed in Criminal Miscellaneous No. 47936 of 2021.

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 parity of the case of the petitioner with that of the co-accused person, who has already been granted bail by a coordinate Bench of this Court, 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 Additional District and Session Judge-IInd-cum-Special Judge Excise Act, Aurangabad (Bihar) in connection with Obra P.S. Case No. 93/2021.

(Mohit Kumar Shah, J)

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