

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.50519 of 2021**

Arising Out of PS. Case No.-189 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.  
District- Gopalganj

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MOHAMMAD AZAD ALAM @ MD. AJAD ALAM @ AJAD HUSSAIN  
S/o PAPPU HUSSAIN R/o VILLAGE-DIGHWARA RAY PATI @  
RAIPATTI, P.S-DIGHWARA, DISTRICT-SARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Setu Prateek, Advocate

For the Opposite Party/s : Md. Nazir Ansari, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      01-04-2022                      Heard Mr. Setu Prateek, learned counsel for the  
  
petitioner and Md. Nazir Ansari, learned Additional Public  
  
Prosecutor appearing for the State through video  
  
conferencing.

Petitioner seeks regular bail in connection with  
  
Excise Case No. 189 of 2021 registered for the offence  
  
punishable under Section 30(a) of the Bihar Prohibition and  
  
Excise Act, 2016.

The allegation, as per the First Information  
  
Report, is that a total quantity of 57.300 litres of illicit  
  
liquor has been recovered from the Tempo which was  
  
intercepted by the Police. The name of the petitioner has



been disclosed by the driver of the tempo.

Learned counsel for the petitioner submits that the petitioner has been implicated in this case on the basis of disclosure of his name by the tempo driver who was arrested and the petitioner is not the owner of the tempo from which the illicit liquor was recovered. Referring to paragraph-6 of this bail application, learned counsel submits that the petitioner has got no concern with the said tempo. He next submits that the petitioner has got no criminal antecedents, he is in custody since 5.7.2021 and charge sheet has already been submitted.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that petitioner is not the owner of the tempo from which the illicit liquor has been recovered, he is in custody since 5.7.2021 having no criminal antecedent and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like



amount each to the satisfaction of learned Additional Sessions Judge 2<sup>nd</sup> cum Special Judge, Excise Act, Gopalganj, in connection with Excise Case No. 189 of 2021.

(Anil Kumar Sinha, J)

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