

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49649 of 2021

Arising Out of PS. Case No.-216 Year-2021 Thana- MANER District- Patna

MD. ADIL KHAN S/o Md. Matloob @ Matloob Asghar Resident of Bauli
Mohalla in front of Star Computer Phulwarisharif, P.S.- Phulwarisharif,
Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 22-02-2022

Heard learned counsel for the parties.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 30(a), 36, 41(i)
and (ii) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 2131.2 litres of liquor is
said to have been recovered from a truck and two accused
persons namely, Govind and Abhishek were arrested. It is
further stated that one of the co-accused disclosed the name of
the other co-accused persons including the petitioner herein as
their being the members of the syndicate.

It is submitted by learned counsel for the petitioner
that neither the petitioner was arrested at the spot nor any
incriminating article has been recovered from his possession. As



per the prosecution case, the only material against the petitioner is the confessional statement of a co-accused made before police. The petitioner has no concern with the seized liquor nor with the truck in question. The petitioner is in custody since 15.5.2021 and has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner having remained in custody for over 9 months and not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Special Case no.2496 of 2021 (arising out of Maner P.S. Case no.216 of 2021) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Patna.

(Partha Sarthy, J)

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