

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52199 of 2021

Arising Out of PS. Case No.-180 Year-2020 Thana- KOCHADHAMAN District- Kishanganj

MUBARAK HUSSAIN @ MOBARAK HOSSAIN Son of - Altab Ali
Resident of Village- Uttar Rampur, P.S.- Chakulia, District- Dinajpur (West
Bengal).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Adv.

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 29-04-2022 Heard Mr. Pawan Kumar Singh, learned counsel for
the petitioner and Mr. Tarkeshwar Nath Thakur, Additional
Public Prosecutor for the State through video conferencing.

Petitioner seeks regular bail in connection with
Special (Excise) No. 175/2020 (arising out of Kochadhaman)
PS Case No. 180/2020 registered for the offence punishable
under Sections 30(a) of Bihar Prohibition & Excise Act 2016.

As per First Information Report, the police on the
basis of secret information proceeded towards the place of
occurrence and intercepted a Honda City Car bearing
Registration No. DL4CAB-6406 and recovered 202.500 litres of
foreign liquor from the same. The petitioner admitted his
involvement in the occurrence along with other co-accused
person who fled away after seeing the police force. The



petitioner also stated that the said Honda City car belongs to one Ankesh of Triveniganj.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and he is neither the driver nor the owner of the Honda City car. He referring to para-12 of this petition submits that petitioner is continuously being implicated in such cases by the police due to the fact that he had made complaint before the high officials with regard to sale and purchase of the illegal wine by local police.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that the petitioner has got criminal antecedents inasmuch as five cases of similar nature of offences have been registered against him, I am not inclined to grant regular bail to the petitioner at this stage. The same is, hereby, rejected.

However, the petitioner, if so advised, may renew his prayer for bail after completion of one year of his custody.

(Anil Kumar Sinha, J)

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