

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55044 of 2021

Arising Out of PS. Case No.-123 Year-2021 Thana- BELDOUR District- Khagaria

-
1. MD. AURANGJEB SON OF LATE KARIM R/O - KHOKSHI, WARD NO.3, P.S.- GWALPURA, DISTRICT- MADHEPURA
 2. HIRALAL MANDAL SON OF RAJO MANDAL R/O - NEVTOLIA, P.S.- MAHESHKHUNT, DISTRICT- KHAGARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-05-2022 Heard Mr. Praveen Kumar, learned counsel for the petitioners and Mr. Lalan Kuma learned Additional Public Prosecutor for the State *via* virtual mode.

Petitioners seek regular bail in connection with Beldour PS Case No. 123/2021 registered for the offence punishable under Section 30(a) of Bihar Prohibition & Excise (Amendment) Act, 2018.

The police on the basis of secret information intercepted a vehicle, Tata-407 bearing Registration No. BR-1GB-9849 being driven by petitioner no.1 and petitioner no.2 being *Khalasi* of the same vehicle was found sitting therein. Both of them were arrested and altogether 333 litres of illicit



liquor was recovered from a secret chamber inside the said vehicle.

Learned counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and they have falsely been implicated in this case due to oblique motive. He further submits that no illicit liquor has been recovered from the conscious possession of the petitioners. Petitioners being driver and *Khalasi* of the said vehicle were not aware about the liquor being kept therein. Petitioners having clean antecedents are in custody since 18.06.2021. He next submits that there is no likelihood that the petitioners will abscond or tamper with the evidences if they are granted bail.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that no illicit liquor has been recovered from the conscious possession of the petitioner, they being the driver and *Khalasi* of the said vehicle were not aware about the liquor being kept therein, petitioners are in custody since 18.06.2021 having no criminal antecedent and there is no likelihood that the petitioners will abscond or tamper with the evidences if they are granted bail, I am inclined to grant regular bail to the petitioners.



Accordingly, let the petitioners, named above, be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge- Excise, Khagaria in connection with Beldour PS Case No. 123/2021.

(Anil Kumar Sinha, J)

perwez

U		T	
---	--	---	--

