

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55659 of 2021

Arising Out of PS. Case No.-104 Year-2020 Thana- FESHAR District- Aurangabad

GOVARDHAN SAW S/o LATE RAJGIR SAW R/o VILLAGE-PIPRAURA,
P.S-MADANPUR, DISTRICT-AURANGABAD (BIHAR).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Leelawati Kumari, Advocate

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-05-2022 Heard learned counsel for the petitioner and learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Fesar P.S. Case No. 104/2020 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation, as per the First Information Report, is that the Police intercepted one Tempo and recovered a total quantity of 143 litres of country made liquor from the same and arrested the driver and one person sitting in the Tempo.

Learned counsel for the petitioner submits that the petitioner has merely been implicated in this case on the basis of fact that Tempo stands in his name. She further submits that the



petitioner being the owner of the tempo was not aware about the illicit liquor being kept therein either by the driver or the person sitting in the tempo. The petitioner is in custody since 31.5.2021 having no criminal antecedent 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 no illicit liquor has been recovered from conscious possession of the petitioner and he is in custody since 31.5.2021 having no criminal antecedent, 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.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-Special Judge (Excise), Aurangabad, in connection with Fesar P.S. Case No. 104/2020.

(Anil Kumar Sinha, J)

S.Ali/-

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

