

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64921 of 2021

Arising Out of PS. Case No.-136 Year-2021 Thana- LAKHISARAI District- Lakhisarai

AZAD SINGH Son of Arvind Singh Resident of Village - Ashokdham, P.S.-
Lakhisarai, Distt.- Lakhisarai. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-02-2022 Heard Mr. Mukesh Kumar, learned counsel for the petitioner and Mr. Md. Anbzarul Haque Sahara, Additional Public Prosecutor for the State *via* virtual mode.

Petitioner seeks regular bail in connection with Lakhisarai (Kavaiya) PS Case No. 136/2021 registered for the offence punishable under Sections 30(a)/32(ii) of Bihar Prohibition & Excise Act, 2016.

As per prosecution case, a Ford Figo Car bearing Registration No. JH-10X-4260 driven by the co-accused, namely, Ravi Kumar was intercepted by the police and a total quantity of 120 litres of beers and 81 litres of foreign illicit liquor have been recovered from the same.

Learned counsel for the petitioner submits that the petitioner is neither driver nor owner of the car and he was not aware about the illicit liquor being kept therein. Learned counsel next submits that petitioner has got clean antecedent and is in custody since 02.03.2021.



Learned counsel further submits that the charge-sheet in the matter has already been submitted. He also submits that similarly situated co-accused, namely, Ravi Kumar has been granted bail by this Court *vide* Cr. Misc. No. 31956/2021.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that the petitioner is neither the driver nor the owner of the said car and he was not aware about the illicit liquor being kept therein, petitioner is in custody since 02.03.2021 having no criminal antecedent and charge-sheet has already been submitted, and the similarly situated co-accused has been granted bail by this Court, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, AZAD SINGH be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, (Excise) Lakhisarai in connection with Lakhisarai (Kavaiya) PS Case No. 136/2021.

(Anil Kumar Sinha, J)

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