

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56890 of 2022

Arising Out of PS. Case No.-482 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Md. Jahid @ Md. Zahid Son Of Late Md. Ali Kadar @ Md. Ali Kadar R/O
Village- Siripur (SRIPUR), Ward No. 5, P.S.- Cheirya Bariyarpur, Distt.-
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

In the present case, the petitioner seeks bail in connection with Muffasil P.S. Case No. 482 of 2022 registered for the alleged offences under Section 30(a) of the Bihar Prohibition and Excise Act.

Allegedly the petitioner was apprehended by the police when he was driving the vehicle on a tip off that he was carrying illicit liquor. On search of the vehicle 1605.6 litres of India made foreign liquor was recovered.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case as he is the driver of the pickup van from which the



recovery has been made. But the petitioner was having no knowledge about the illicit liquor loaded in the van. The petitioner was directed by its owner Madhusudan Choudhary to deliver the goods to its recipients. Learned counsel further submits that nothing has been recovered from the conscious possession of the petitioner. The petitioner is in custody since 11.09.2022 and charge-sheet has been submitted. The petitioner has got no criminal history.

Learned APP opposes the prayer for bail.

Having regard to the submissions made hereinabove and considering the clean antecedent of the petitioner and further considering the period of custody of the petitioner along with the submission of charge-sheet against him, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-I Begusarai in connection with Muffasil P.S. Case No. 482 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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