

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69013 of 2021**

Arising Out of PS. Case No.-238 Year-2021 Thana- MAIRWAN District- Siwan

BRAJESH SINGH S/o Harivachan Singh R/o village- Barhuliya, P.S.- Andar,
District- Siwan

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary
For the Opposite Party/s : Ms.Veena Rani Prasad

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 23-05-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Mairwa Police Station Case No. 238 of 2021, registered for the
offences punishable under Section 30 (a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, as per the First Information
Report, is that the police, on the basis of secret information,
intercepted one Tata Safari vehicle and recovered 492.48 litres
of illicit liquor from the same and arrested three persons,
including the petitioner, from the said vehicle.

Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in this case and he has not
committed any offence in the manner alleged. He further



submits that the petitioner had taken lift on the said vehicle and he was not aware about the fact that illicit liquor has been kept inside the vehicle. He further submits that the driver of the vehicle, namely, Kamlesh Gond, has been granted bail by co-ordinate Bench of this Court, vide order, dated 25.04.2022, passed in Criminal Misc. No. 65829 of 2021. He further submits that the petitioner is in custody since 19.08.2021, having no criminal antecedent, and charge sheet has already been submitted against him and as such there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions made on behalf of the parties and taking into consideration the materials on record and the fact that charge sheet has already been submitted and the petitioner is in custody since 19.08.2021, having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, Excise, Siwan, in connection with Mairwa Police Station Case



No. 238 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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