

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69226 of 2021

Arising Out of PS. Case No.-67 Year-2021 Thana- DANDKHORA District- Katihar

MD. JAMALUDDIN S/o Md. Salim Resident of Budhel, P.S.- Katihar (M),
District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Musowir

For the Opposite Party/s : Mr.Bishweshwar Ram

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
Dandkhora Police Station Case No. 67 of 2021, registered for
the offences punishable under 30 (a) of the Bihar Prohibition
and Excise Act, 2016.

The prosecution case, as per the First Information
Report, is that the police, in course of vehicle checking, stopped
one Tata Sumo Gold vehicle, but on seeing the police party, the
driver of the said vehicle succeeded in fleeing way, however the
police arrested the passengers of the said vehicle and recovered
291 litres of illicit liquor from the said vehicle.

Learned Counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged



and he has falsely been implicated in this case by the police with oblique motive. He further submits that the petitioner is only one of the passengers travelling in the vehicle in question and he was not aware about the illicit liquor being kept inside the vehicle. He further submits that no illicit liquor has been recovered from the conscious possession of the petitioner. He further submits that the petitioner is in custody since 05.09.2021 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 the petitioner was one of the passengers travelling in the vehicle, charge sheet has already been submitted and the petitioner is in custody since 05.09.2021, 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. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, Excise, Katihar, in connection with Dandkhora



Police Station Case No. 67 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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