

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69015 of 2021

Arising Out of PS. Case No.-305 Year-2021 Thana- RANIGANJ District- Araria

MD BABLOO @ MD ISHTIYAK @ BABLOO @ ISTIYAK Son of Md. Yusuf Resident of Village- Pahunsara Ward No.01, Police Station- Raniganj, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-06-2022 Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Raniganj P.S. Case No. 305 of 2021 for the offence registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding the police having intercepted a Sumo vehicle and upon search 202.500 litres of foreign liquor was recovered. The petitioner is stated to have been arrested from the spot inasmuch as he is stated to be the driver of the said pick up van.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and he is languishing in custody since 15.10.2021. The learned counsel for the petitioner has further submitted that the petitioner is merely the driver of Sumo vehicle in question and



he was not aware about the freight loaded on the said vehicle by the owner of the freight, hence he cannot be saddled with the liability of the illicit liquor recovered from the said vehicle.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner is merely the driver of the vehicle in question apart from the fact that he is having a clean antecedent and is languishing in custody since about eight months, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to 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 2nd Additional Sessions Judge-cum-Special Judge (Excise Act), Araria in connection with Raniganj P.S. Case No. 305 of 2021.

(Mohit Kumar Shah, J)

S.Sb/-

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

