

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71599 of 2021**

Arising Out of PS. Case No.-46 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Araria

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Md. Rakib, Son of Md. Sultan, Resident of Village - Ward No. -07, Milki
Dumariya Bhanghi, Police Station - Fulkaha, District - Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Adv.
For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 15-06-2022 Learned counsel for the petitioner undertakes to

remove all the defects pointed out by the Stamp Reporter within

four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner in the present case is seeking regular

bail in connection with Forbesganj Circle (Anchal) Excise Case

No.46 of 2021 registered for the offences punishable under

Section 30(a) of the Bihar Prohibition and Excise Act, 2016. He

is in custody since 07.11.2021. The petitioner has got no

criminal antecedent.

Learned counsel for the petitioner submits that, as per

the prosecution story, 1065 liters of illicit liquor has been



recovered from the vehicle in question of which the petitioner is a driver.

Learned counsel for the petitioner submits that the petitioner is a driver and he has been falsely implicated in this case. Learned counsel submits that the petitioner has no concern with the alleged seized illicit liquor. It is submitted that the petitioner is in custody in connection with this case since 07.11.2021 having no criminal antecedent.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that the petitioner is the driver of the vehicle in question, he has no criminal antecedent and has remained in custody in connection with this case since 07.11.2021, investigation against him is complete and his presence may be secured in course of trial, this Court directs release of the petitioner above named on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Araria in connection with Forbesganj Circle (Anchal) Excise Case No.46/2021, subject to the conditions as laid down under Section 437(3) Cr.P.C.



And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

