

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72506 of 2021

Arising Out of PS. Case No.-163 Year-2021 Thana- KARAHGAR District- Rohtas

MOTI LAL CHOUDHARY Son of Lalji Choudhary Resident of Village -
Nirnjan Bigha, Police Staiton - Indrapuri, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-05-2022 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor appearing for the

State.

Petitioner seeks regular bail in connection with
Kargahar P.S. Case No. 163 of 2021 registered for the
offence punishable under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

The allegation, as per the First Information
Report, is that the Police after getting secret information
that one Scorpio vehicle bearing Registration No. BR26C-
7781, in which, the illicit liquor has been kept, was
followed by an Apache Motorcycle, as liner, proceeded
towards the place of occurrence and upon seeing the



Police party, the accused persons started fleeing away, however, they were arrested by the Police and a total quantity of 356.940 litres of foreign liquor and 15.800 litres of country made liquor were recovered.

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. He further submits that petitioner was the driver of said Scorpio vehicle and he was not aware about the illicit liquor being kept therein. He next submits that owner of the vehicle is Md. Kudus Alam. The petitioner is in custody since 9.7.2021 having clean antecedent and charge sheet has already been submitted.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that no illicit liquor has been recovered from the conscious possession of the petitioner, petitioner was the driver of the vehicle, he is in custody since 9.7.2021 having clean antecedent and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.



Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IIInd cum Special Judge, Excise, Rohtas at Sasaram, in connection with Kargahar P.S. Case No. 163 of 2021.

(Anil Kumar Sinha, J)

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