

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.750 of 2022

Arising Out of PS. Case No.-120 Year-2021 Thana- ARER District- Madhubani

RAUSHAN SAFI Son of Lalit Safi Resident of Village - Yuniyan Tol Ward
no.3, P.s.- Jayanagar, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Ms. Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-05-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Arer Police Station Case No. 120 of 2021, registered for the
offences punishable under Sections 272/273 of the Indian Penal
Code and 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 tempo and recovered 268.5 litres of illicit liquor
from the same and also arrested the driver of the tempo.

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 the owner -cum- driver of the tempo, which is a commercial vehicle, and he used to carry passengers in that tempo and was not aware as to which passenger had kept the illicit liquor in the said tempo. He further submits that no illicit liquor has been recovered from the conscious possession of the petitioner. The petitioner is in custody since 05.12.2021, having no criminal antecedent and charge sheet has already been submitted and as such there is no likelihood that the petitioners 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 no illicit liquor has been recovered from the conscious possession of the petitioner, charge sheet has already been submitted and the petitioner is in custody since 05.12.2021, 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. 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, Madhubani, in connection with Arer Police Station Case
No. 120 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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