

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1531 of 2022**

Arising Out of PS. Case No.-162 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Purnia

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BADI UJJMA @ BADI UJJMA SHEKH Son of Mohammad Kali Muzzama
Shaikh cpiroliya, Ward No.4, P.S.- Jhanjharpur, Distt.- Madhubani.

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr.Gulnar Begum, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 19-05-2022 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with C-
Complain Case No. 162 of 2021 for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.

The allegation is recovery of 179.520 litres of Indian
Made Foreign Liquor from Maruti car bearing registration No.
DL-2CAH-1495. The petitioner was apprehended along with
driver of the car.

Learned counsel appearing on behalf of the petitioner
submits that petitioner is innocent and he has falsely been
implicated in this case. He further submits that petitioner is not



the owner of the vehicle. He further submits that petitioner has clean antecedent and he is in custody since 06.09.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner. He further submits that trade of illicit liquor is rampant in the State of Bihar and often hooch tragedy is being occurred due to consumption of illicit liquor by the people at large and as such petitioner is involved in heinous crime and he does not deserve to be released on bail.

Considering the aforementioned facts and circumstances of the case and taking into consideration the submission made by the parties, without going into the merits of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 1,00,000/- (Rs. One lakh) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Purnea in connection with C-1 Complain Case No. 162 of the 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.



(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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