

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2601 of 2022

Arising Out of PS. Case No.-418 Year-2019 Thana- MOTIPUR District- Muzaffarpur

Najir @ Najeer Khan Son Of Sulekhan @ Sul Khan R/O Village- Jivangadh
Gali No.-7, P.S.- Koarsi, District- Aligarh (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyesh Kumar

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 11-01-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody in a case registered for the offences punishable under Section 419, 420, 34 of the Indian Penal Code and Sections 30(a), 41(1)(2) of the Bihar Prohibition & Excise Act.

There is recovery of 1866.960 litres of illicit Indian made Foreign liquor from a truck.

It is submitted by learned counsel for the petitioner that petitioner was not apprehended from the spot. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner is



driver of the seized vehicle. The petitioner has no concern either with the seized illicit liquor or the vehicle in question. The petitioner is languishing in custody since 23.09.2019.

It appears that the prayer for bail of the petitioner was earlier rejected vide order dated 13.05.2020 passed in Cr. Misc. No. 16110 of 2020. The petitioner again renewed his prayer for bail which was again rejected vide order dated 10.03.2021 passed in Cr. Misc. No. 29820 of 2020 with a direction to the learned Trial Court to expedite the trial and conclude the same within six months.

Vide order dated 20.12.2022, a report with regard to present stage of the trial was called for. The report has been received and it has been kept at Flag-R. The report suggests that charges have been framed and the trial is pending for appearance of witnesses in spite of specific direction by this Hon'ble Court to expedite the trial and conclude the same within six months.



Considering the nature of accusation, the period under custody and the fact that the trial is not likely to be concluded in near future, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Motipur P.S. Case No. 418 of 2019.

(Sunil Kumar Panwar, J)

Shageer/-

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

