

Arising Out of PS. Case No.-91 Year-2021 Thana- BAIRGACHHAI District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr. Pramod Mishra, Advocate
For the Opposite Party/s : Mr. Nagendra Prasad, APP

2 16-05-2023 1. Heard learned counsel for the petitioner and
the learned APP for the State.

2. Petitioner seeks regular bail in connection with Special Case No.105 of 2021 arising out of Araria (Bairgachhi) P.S. Case No.91 of 2021 dated 26.01.2021 registered for the offence(s) punishable under Section(s) 30(a) of the Bihar Prohibition and Excise Act.

3. The main submissions advanced by the learned counsel for the petitioner are that the instant matter relates to the recovery of 603 litres of foreign liquor and the same is stated to have been recovered from a pick up van and as per allegation, two persons were found in the said vehicle and they were apprehended and the said persons disclosed the name



of this petitioner as being involved in the alleged crime of smuggling of wine but in fact, the petitioner has falsely been roped in this case and he is neither owner nor driver of the alleged seized vehicle and the co-accused persons who were apprehended at the spot have been granted bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No.21697 of 2021 and the case of this petitioner stands on better footing from them.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly the petitioner's fair and clean antecedent and the completion of investigation against him, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail in connection with Araria (Bairgachhi) P.S. Case No.91 of 2021 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

sangam/-

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

