

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34337 of 2023

Arising Out of PS. Case No.-132 Year-2023 Thana- BAIKUNTHPUR District- Gopalganj

SAHIL HUSSAIN, S/o- SAHEB HUSSAIN, Village- Mehandiya PS-
Tamkuhi Raj Dist- Kushi Nagar U.P

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Koshalendra Rai, Advocate

For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 25-05-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

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

The petitioner has preferred this application for grant of regular bail in connection with Baikunthpur P.S. Case No. 132 of 2023 dated 15.04.2023 registered for the offences punishable u/s 414 of the Indian Penal Code and Section 30(a) and 41 of the Bihar Prohibition and Excise Act.

As per the prosecution case, 185 litres of illicit Kingfisher bear was recovered from a white colour vehicle in which the petitioner and the co-accused were present. Two persons were apprehended by the police with the vehicle. One of the apprehended persons disclosed his name as Sahil Hussain



(Petitioner). It is stated that the seized vehicle is stolen one in which they were carrying illicit liquor.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. He has further submitted that the petitioner is neither the driver nor the owner of the seized vehicle. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 16.04.2023.

Learned A.P.P. for the State has vehemently opposed the prayer of bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gopalganj in connection with Baikunthpur P.S. Case No. 132 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

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