

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68154 of 2022

Arising Out of PS. Case No.-615 Year-2022 Thana- FATEHPUR District- Gaya

MD. SHAMSHER ALAM SON OF QAIYUM ANSARI R/O VILLAGE-
PIRBIGHA, KACHANPUR, P.S.- BELAGANJ, DISTRICT- GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishwa Ranjan Choudhary,Adv.

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-02-2023 Heard the learned counsel for the
petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Fatehpur P.S. Case No.615 of 2022, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

The allegation is regarding the police having apprehended a white coloured Mahindra Scorpio vehicle from which the petitioner was arrested and upon search, 223.875 litres of illicit liquor was recovered.

The learned counsel for the petitioner



has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 10.10.2022. The learned counsel for the petitioner has further submitted that the petitioner is not the owner of the vehicle in question, hence, he is not having any complicity in the matter.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials on record as also considering the fact that the petitioner is not the owner of the vehicle in question, from which illicit liquor has been recovered, apart from the fact that, he is having a clean antecedent, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail



bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.-I, Gaya in connection with Fatehpur P.S. Case No.615 of 2022.

(Mohit Kumar Shah, J)

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