

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53644 of 2024

Arising Out of PS. Case No.-130 Year-2019 Thana- BISHUNPUR District- Darbhanga

Md. Guljar Rain @ Md. Gwazar Rain Son of Md. Jan Rain @ MD. JAN ALI
Resident of Village - Chakmahsi, P.S.- Chakmahsi, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Baidya Nath Prasad, Advocate
For the State : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Bisanpur P.S. Case No. 130 of 2019, registered for the offence punishable under Sections 467, 468 and 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 587 litres illicit liquor has been recovered from a pickup van of which this petitioner is registered owner.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner has been made an accused in this case merely because he happens to be registered owner of the vehicle in question. As a matter of fact, petitioner was not aware of nature of consignment being transported in the vehicle.



Nothing has been recovered from conscious possession of this petitioner. Petitioner is a man of clean antecedents and he is in custody since 20.05.2024. Moreover, chargesheet has already been submitted.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the facts and circumstances of the case, the fact that nothing has been recovered from his possession, period of custody and clean antecedents, the prayer for bail of petitioner is allowed.

7. Accordingly, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge 1st (Excise Act) Darbhanga, in connection with Bisanpur P.S. Case No. 130 of 2019.

(Prabhat Kumar Singh, J)

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