

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57288 of 2025

Arising Out of PS. Case No.-183 Year-2021 Thana- BAISI District- Purnia

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Bubai Hussain @ Mobai Hussain S/o Amirul Haque R/o Vill- Mirilpak
(Marilpak), P.S.- Dhupguri Dist- Jalpaiguri, West Bengal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Priyesh Kumar, Advocate

For the Opposite Party/s : Mr. (Dr.) Mrityunjaya Kr.Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 03-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner seeks regular bail in a case registered under Sections 272, 273 of I.P.C. and Sections 30(a), 41 and 47 of the Bihar Prohibition and Excise Act.

3. There is total recovery of 728.625 litres of Indian made foreign liquor from Bolero pick up van. One apprehended accused, namely, Vishnu Rai disclosed the name of another person who was indulged in alleged crime and also told the name of petitioner who is the owner of the vehicle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case on the basis of the fact that petitioner is the owner of the seized vehicle. Petitioner has surrendered before the court concerned himself. Nothing has been recovered from conscious



possession of the petitioner. The alleged recovery has been made from a commercial vehicle which was given to co-accused Vishnu Rai, who had misused the vehicle and petitioner had no knowledge about carrying of illicit liquor by the driver in the seized vehicle. The petitioner has no concern with the illicit liquor. Petitioner has no criminal antecedent and he is in jail since 08.05.2025. Petitioner undertakes to cooperate in the investigation and the trial.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case as well as the submissions of the parties, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge (Excise-01), Purnea in connection with Baisi P.S. Case No.183 of 2021 subject to the condition(s) that:

(i) one of the bailors should be the resident of State of Bihar having sufficient immovable property.

(Sunil Dutta Mishra, J)

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