

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51526 of 2016

Arising Out of PS.Case No. -641 Year- 2016 Thana -ARARIA District- ARARIA

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Zishan Ahmad @ Rajan, son of Sofi Ahmed, Resident of Village-
Azadnagar, Ward No. 23, P.S. + District- Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Anand, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, Advocate

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 01-12-2016 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner is languishing in custody since
24.09.2016 in connection with Araria P.S. Case No. 641/16 for
offences punishable under Sections 272, 273, 34 of the Indian
Penal Code and under Sections 47, 51, 54, 57 of the Bihar Excise
(Amendment) Act, 2016.

The prosecution case, as lodged by the police, is
that in course of checking the vehicles they intercepted a truck, a
Bolero and Zest car and seized 20 bottles of foreign liquor from
the dickey of Zest car, in which five persons were boarded.

It has been submitted by the learned counsel for
the petitioner that he is the owner of the Zest car, nothing has been



recovered from his possession and that he has no criminal history. He submits that the petitioner had employed a driver, namely, Eklakh Ahmed, he did not know whether it was used for some illegal purposes and the petitioner has been implicated only because he is the owner of the said car.

However, learned APP for the State submits that although the petitioner is not named in the First Information Report, but during course of investigation his name surfaced, hence, opposes the prayer for bail.

Be that as it may, considering the facts and circumstances and that nothing has been recovered from the conscious possession of the petitioner, let petitioner, above named, be enlarged 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 Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 641/16.

(Nilu Agrawal, J.)

Rajesh/-

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