

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9274 of 2016

Arising Out of PS.Case No. -272 Year- 2015 Thana -MUFFASIL District- AURANGABAD

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Anul Ansari, Son of Md. Khadim Ansari, Resident of Azad Nagar (Tikari More), P.S. Town, District - Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi

For the Opposite Party/s : Mr. Akbar Ali (App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 06-04-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner is accused in connection with Muffasil P.S. Case No. 272 of 2015, registered under Section 272, 273 of the Indian Penal Code and Section 47(A) of the Excise Act.

The accusation is that in course of patrolling duty, petitioner was seen driving the tempo keeping the carton in the tempo. Thereafter, Police checked the tempo and found 20 cartons of country made wine each containing 48 bottles containing 200 ML each. On query, the petitioner disclosed himself as driver-cum-owner of the tempo and the said loaded cartons in the tempo belongs to one Ramesh Singh.

Learned counsel appearing on behalf of the

petitioner submits that, in fact, petitioner is simply owner cum driver of the tempo and he was hired by co-accused Ramesh Singh for carrying the cartons. Further submission is that petitioner has no knowledge about keeping country made liquor in the cartons. Further submission is that petitioner having no criminal antecedent and is in custody since 21.12.2015.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to 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 the Chief Judicial Magistrate, Aurangabad in connection with Muffasil P.S. Case No. 272 of 2015.

(Rajendra Kumar Mishra, J.)

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