

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 33283 of 2017

Arising out of P.S. Case No.-82 Year-2017 Thana- VAISHALI
District- Vaishali

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MD. HAKMUDDIN @ HAKMUDDIN, S/o Md. Ilyas,, R/o
Village- Dhekedaja, P.S.- Huhu, District- Nuhu,(Hariyana).
... .. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.

For the Opposite Party/s: Mr. RAMESH CHANDRA, APP

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 20-07-2017

Heard learned counsel for the petitioner and the
State.

The petitioner seeks bail in a case registered for
offences under Sections 30, 32(2) and 41(1) of the Bihar
Prohibition and Excise Act.

It is contended that as per allegation, huge quantity of
foreign liquor was recovered from a truck of which the
petitioner is said to be the driver. It is further contended that
allegedly a person was found with Rs. 4 lacs in bag along with
black apache motorcycle meant for payment of the consignment.
It is also contended that co-accused persons namely Mukesh
Kumar and Govind Kumar have already been granted bail by
different Co-ordinate Benches of this Court by orders dated



28.06.2017 and 05.06.2017 passed in Cr.Misc. Nos. 28309 of 2017 and 26356 of 2017. Petitioner claims that he is having clean antecedent and is in custody since 02.04.2017.

Considering the facts and the circumstances of the case, the petitioner, abovenamed is directed to be released on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-II-cum-Special Judge, Excise Act, Vaishali at Hajipur in connection with Vaishali P.S. Case No. 82 of 2017 with a condition that one of bailors will be the resident of Bihar since the petitioner belongs to Haryana. Further, if the petitioner, after his release in this case, is again found to be involved in criminal case of similar nature, the court concerned would be at liberty to take steps for cancellation of his bail bonds.

However, at the time of accepting bail bond, the court below will verify and assure itself regarding the criminal antecedent of the petitioner. If the petitioner is having clean antecedent then his bail bond would be accepted otherwise he would not be released from custody.

(Dr. Ravi Ranjan, J)

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