

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51766 of 2017

Arising Out of PS. Case No.-207 Year-2017 Thana- KUCHAIKOTE District- Gopalganj

Ushman Khan, S/o Mustaq Khan, Resident of Village-Farid Nagar, P.S. Bhospur, District-Gaziabad (U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Dwivedi

For the Opposite Party/s : Mr. AJAY KUMAR -2

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL ORDER

2 09-11-2017 I have heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered for offences punishable under sections 272, 273 and 420 of the Indian Penal Code and Section 30 (a) (b) (c) of the Bihar Prohibition and Excise Act, 2016.

It is contended that, as per allegation, 1451 litres of foreign liquor was recovered from a small truck which was being driven by the petitioner. Petitioner claims to be driver of the said truck. Petitioner further claims that he is having clean antecedent and is in custody since 30.7.2017.

Having regard to the facts and circumstances of the case, the above named petitioner 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 Special Judge, Excise Act, Gopalganj, in connection with Kuchaikote P.S. Case No. 207 of 2017 with further conditions that one of the bailors of the petitioner must be the resident of State of Bihar.

If the petitioner, after his release in this case, is again found involved in similar nature of cases then the concerned court would be at liberty to take steps for cancellation of his bail bonds.

However, before accepting the bail bonds, the court below would make verification regarding criminal antecedent of the petitioner and if he is found to be involved in any criminal case prior to filing of affidavit in this application, i.e., 16.10.2017, then he would not be released.

(Dr. Ravi Ranjan, J)

Spd/-

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