

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.58715 of 2017

Arising Out of PS.Case No. -56 Year- 2017 Thana -JAMHORA District- AURANGABAD

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Mukhtar Ansari Son of Late Mianjan Ansari Resident of village- Basati
Barwe, P.S.- Ormanjhi, District- Ranchi (Jharkhand)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Krishna Chandra, Advocate.

For the Opposite Party : Mr. Sri Ashok Kumar Singh 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-12-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Section 30(a) and 38(i) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that 620 liters wine
is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent. There
is no allegation of tampering with the witnesses alleged against the
petitioner. The name of the petitioner has come on the basis of
confessional statement of co-accused made before police as per
F.I.R. It is alleged that 620 liters wine is recovered from the



vehicle in question. The petitioner is the owner of the vehicle in question which is run by co-accused Yusuf Ansari. Except for this, there is no other substantive evidence to suggest his implication in the present case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VII-cum-Special Judge, (Excise), Aurangabad, in connection with Jamhore P.S. Case No. 56 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

