

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2572 of 2018

Arising Out of PS.Case No. -115 Year- 2017 Thana -DHAKA District-
EASTCHAMPARAN(MOTIHARI)

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1. Jubair Ansari S/o Molajim Ansari, R/o Village- Parsa, P.S.- Dhaka,
District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar

For the Opposite Party/s : Mr. Shailendra Kumar -2

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

2 23-01-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Dhaka P.S.
Case no. 115 of 2017 registered under Section 30(a) of Bihar
Prohibition and Excise Act-2016.

51 lts. of Nepali liquor is said to have been recovered
from the house of the petitioner and the petitioner was
apprehended.

It is submitted by learned counsel for the petitioner that
no incriminating article has been recovered from his conscious
physical possession. The petitioner has been falsely implicated in
the case. As per prosecution case, the alleged wine was



recovered from the house of the petitioner but the seizure list indicates that the said liquor was recovered from village Parsa and moreover, the said seizure list does not bear the signature of the petitioner which creates serious doubt about the prosecution case. The petitioner has no criminal antecedent. The petitioner has been languishing in custody since 10.04.2017.

Considering the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned 7th Additional Sessions Judge-cum-Special Judge Excise, East Champaran, Motihari in connection with Dhaka P.S. Case no. 115 of 2017.

(Prakash Chandra Jaiswal, J)

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