

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53321 of 2018

Arising Out of PS.Case No. -267 Year- 2018 Thana -DURGAWATI District- BHABHUA
(KAIMUR)

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1. Amzad Khan S/o Bishamila Khan, R/o Vill.- Tekari, P.S.- Chenari,
District- Rohtas (Sasaram).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Pathak, Advocate.

For the Opposite Party/s : Mr. Asharaf Ansari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 27-09-2018

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Excise Case No. 654 of 2018 arising out of Durgawati P.S. Case No. 267 of 2018 instituted for the offence under Sections 30(a), 38 and 56(D) of Bihar Prohibition and Excise (Amendment) Act, 2016.

Counsel for the petitioner submits that petitioner has been arrested merely on suspicion. He was not driver of the vehicle bearing Registration No. UP80AE-8596. There is no recovery from his conscious possession. The seizure list is part of First Information Report wherein it is mentioned that liquor has been recovered from NH-2.

In the written report it is mentioned that one person after coming down from the vehicle in question started running



away and he was apprehended.

It is mentioned in paragraph-3 of the bail petition that petitioner has clean antecedent.

Petitioner is said to be in custody since 18.7.2018.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Kaimur at Bhabua, in connection with Excise Case No. 654 of 2018 arising out of Durgawati P.S. Case No. 267 of 2018, subject to the condition that both the bailors will be the close relatives of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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