

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52897 of 2018

Arising Out of PS.Case No. -105 Year- 2017 Thana -MIRGANJ District- GOPALGANJ

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Parwez Alam, S/o. Late Haji Wazuddin Ansari @ Late Wajuddin Ansari,
R/o. Village- Rasulpur, P.S.- Hathua, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 28-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

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

26.640 litres of foreign liquor and 2 litres of country
made liquor are said to have been recovered from the bag kept on
the motorcycle and two accused persons sitting on the said
motorcycle managed to escape dumping the aforesaid liquor laden
motorcycle at the place of occurrence.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner. He has no concern



with the seized liquor. He is not named in the F.I.R. He was not apprehended on the spot. Though he happens to be owner of the said motorcycle but he had given it to his co-villager for plying the same. He had no knowledge of transporting of the liquor by the said motorcycle by the said co-villager. He has been falsely implicated in the case. He has no criminal antecedent. He has been languishing in custody since 24.07.2018.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II cum Special Judge, Excise, Gopalganj in connection with Mirganj P.S. Case No. 105 of 2017.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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