

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14351 of 2018

Arising Out of PS.Case No. -283 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
MUZAFFARPUR

=====

Akash Malik son of Sompal Malik resident of village Nonipath Ward No. 2
strit No. 2 P.S. Sadar District-Sonipath, Haryana.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Sri Anand Mohan Prasad Mehta

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
09.08.2017 in connection with P.R. No. 09 of 2017-18, Excise
Case No. 283 of 2017 for offences punishable under Sections 30
(a), 32 (2) and 38 of the Bihar Prohibition & Excise Act.

The prosecution case, as lodged by the Excise Officials,
is that a raid was conducted and truck of the petitioner was
searched petitioner was apprehended but the driver and other three
persons named by the petitioner managed to flee away. From the
truck 357.12ml of foreign liquor was recovered hidden under
rotten potatoes.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history and was just a Khalasi of the truck in question. He submits that he is not concerned with the sale or purchase of illicit liquor and has been falsely implicated. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 learned Special Judge, Excise, Muzaffarpur in connection with P.R. No. 09 of 2017-18, Excise Case No. 283 of 2017.

(Nilu Agrawal, J)

Devendra/-

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