

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42850 of 2018

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Md. Asghar Ali @ Munna, S/o Md. Wadood, Resident of Shekhopur, P.S.-
Warisnagar (O.P.- Mathurapur) District- Samastipur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Fahad Khurshid, Adv.

For the Opposite Party : Mr. Ashlam Ansari, A.P.P. - 241

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

ORAL ORDER

3 03-08-2018 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 Section 30 (a) of the Bihar (Prohibition) Excise
Act, 2016.

288.4 liters of foreign liquor is said to have been recovered
from the pickup van at Gudri Bazar and 299.52 liters of foreign
liquor is said to have been recovered from the godown of Munna
Khatik. Petitioner and three other accused persons were found
unloading the said liquor from the pickup van at the aforesaid
place and petitioner managed to escape. Petitioner happens to be
staff of the said Munna Khatik.

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 either with the seized liquor or the place of recovery. He happens to be staff of Munna Khatik and was unloading the cartons as per the instruction of his owner without knowing the contents of the cartons. He has been falsely implicated in this case. He has no criminal antecedent and has been languishing in custody since 20.05.2018.

In the facts and circumstances of the case, 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 District Judge-IV, Darbhanga in connection with Laheriasarai P.S. Case No. 254 of 2018.

(Prakash Chandra Jaiswal, J)

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