

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63013 of 2018

Arising Out of PS.Case No. -349 Year- 2018 Thana -GARDANIBAG District- PATNA

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1. MD. IKWALL ALI KHAN @ MD. IKWAL ALI S/o Md. Imtiyaz Ali Khan, R/o Safik Manjila Vaishali Market, Karbighiya, P.S.-Jakkanpur, Presently residing at F.C.I. R.K. Nagar Infront of Suhail Marriage Hall, P.S.-Phulwari Sharif, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhubneshwar Prasad

For the Opposite Party/s : Mr. Sri Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-10-2018 The petitioner seeks regular bail in connection with Gardanibagh P.S. Case No. 349 of 2018, registered for offences punishable under Sections Section 30/32 of the Bihar Prohibition and Excise Act, 2016.

Allegation is of recovery of 117 litres of liquor from the Maruti Car.

It has been submitted on behalf of the petitioner that nothing has been recovered from the conscious possession of the petitioner rather the recovery was made from the Maruti Car of which, the petitioner is driver. Further petitioner has no criminal antecedent and has been in judicial custody since 22.08.2018.

Heard learned A.P.P. also.



Having heard both sides, considering the facts and circumstances of the case, nature of allegation, quantity of recovery and period of custody and also that petitioner has no criminal antecedent, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Patna, in connection with Gardanibagh P.S. Case No. 349 of 2018, subject to the condition that:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) It is made clear that if the petitioner again found involved in any of the like offences, in future, prosecution will be free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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