

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7508 of 2019

Arising Out of PS. Case No.-43 Year-2018 Thana- RISIYAP District- Aurangabad

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Afjal Hussain, Son of Ekram Hussain, Resident of Village- Benikala, P.O.-
Kusham Narayanpur, P.S.- Hussainabad (Palamu)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Leelawati Kumari, Adv

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 05-03-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Risiup P.S. Case No. 43 of 2018 registered for
the offences punishable under Sections 30(a) 38 of Bihar
Prohibition and Excise Act.

Allegation is recovery of 357 liters of illicit country
made liquor from a Bolero vehicle which was driven by the
petitioner.

It has been submitted on behalf of the petitioner
that he is innocent and has committed no offence. He has been
falsely implicated in this case. Petitioner is driver of the seized
vehicle and he has no knowledge about the illicit liquor.



Petitioner is in custody since 09.07.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VII-cum-Special Judge (Excise) Aurangabad, in connection with Risiup P.S. Case No. 43 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.
- (4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bonds.

(S. Kumar, J)

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