

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9745 of 2019

Arising Out of PS. Case No.-45 Year-2018 Thana- HATHAURI District- Muzaffarpur

CHAND ALI AHMAD Son of Md. Shoritullah Mollah Resident of Village -
House no. 6, Biharbari, A.G. Colony, Back side of Sumitrapur, Nirbill path,
Guwahati, P.S. Basistha District- Kamrup (M), (Assam).

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 06-05-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Hathauri P.S.Case No.45 of 2018, registered for offences punishable under Sections 272, 273, 120(B) of the Indian Penal Code and Sections 30(a)/41 of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is about recovery of 326 ltrs. of foreign liquor from a truck and the petitioner is owner of the truck.

Submission of the learned counsel for the petitioner is that four months prior to the recovery, he had given the truck to one Md. Nur Ali for running the truck, which will appear from the deed of agreement kept at Annexure-2.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Act, Muzaffarpur in connection with Hathauri P.S.Case no.45 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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