

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24764 of 2019

Arising Out of PS. Case No.-54 Year-2019 Thana- MOTIPUR District- Muzaffarpur

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Gulfam, Gender- Male, aged about 30 years, Son of Ishak, Resident of Village - Badate Makan, 169 Tahsil, Braunth, P.s.- Bagpat, Distt.- Bagpat, State - Uttar Pradesh.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
Mr. Shashank Shekhar, Advocate
For the State : A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 28-06-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Motipur (Muzaffarpur) P.S. Case No. 54 of 2019 registered under Sections 420/120(B)/34 of the Indian Penal Code and Sections 30(a)/38(1)/41(1) of the Bihar Excise Act.

The prosecution story, in brief, is that total 1576.440 liters wine is said to have been recovered.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the



present case. It is alleged that total 1576.440 liters wine is recovered from the Truck in question. He had no knowledge regarding the nature of goods booked by the Transporter. There is no compliance of Section 100 Cr.P.C. The petitioner is alleged to be the Khalasi of the Truck. The petitioner is in custody since 07.02.2019. The other co-accused, namely, Yunis has been granted bail by a Co-ordinate Bench of this Court.

In the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise, Muzaffarpur in connection with Motipur (Muzaffarpur) P.S. Case No. 54 of 2019.

(Anjani Kumar Sharan, J)

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