

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33085 of 2019

Arising Out of PS. Case No.-200 Year-2017 Thana- DHURAIYA District- Banka

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Gul Sanobar Ali Son of Alauddin, Resident of Village - Rasalpur Dahla, Ward
No. 16, Sahebganj, P.S.- Sahebganj, Distt - Sahebganj (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mr.Tapeshwar Sharma

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 20-05-2019 Heard both sides.

The petitioner apprehends his arrest in Dhoraiya P.S.
Case No.200 of 2017 registered under Section 30(a) of the Bihar
Prohibition and Excise Act.

The police intercepted a motorcycle bearing
registration no.JH18C-8496 and apprehended three persons,
namely, Sahansah Mansuri, Md. Irshad Mansuri and Abdul
Hafiz Mansuri and 2 litres country made liquor made of mahua
was recovered from the lap of Md. Irshad Mansuri.

Learned counsel for the petitioner submits that
Sahansah Mansuri happens to be the nephew of the petitioner
and he had taken motorcycle of the petitioner. Since the
petitioner is the owner of the vehicle, the petitioner has been
made accused during course of investigation.



Having considered the facts that Sahansah Mansuri (the nephew of the petitioner) had taken the motorcycle of the petitioner and he was apprehended along with two others and only 2 litres country made liquor made of mahua was recovered but the petitioner has been made accused only on the ground that he is the owner of the vehicle, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 learned Additional Sessions Judge II, Banka in connection with Dhoraiya P.S. Case No.200 of 2017, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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