

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.37009 of 2019**

Arising Out of PS. Case No.-126 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.  
District- Gaya

MD.MASUK ANSARI S/o Md. Gulam Rasul R/o village- Upthu, P.S.- Atri,  
District- Gaya (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Arvind Kumar  
For the Opposite Party/s : Mr.Ganesh Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA  
ORAL ORDER**

2      17-06-2019                      Heard both sides.

The petitioner apprehends his arrest in Barachatti  
Excise P.S. case No. 126 of 2019 registered under Section  
30(Ka) and 56 (Kha) of the Bihar Prohibition & Excise Act.

The learned counsel for the petitioner submits that an  
auto rickshaw bearing registration No. BR02PA-1157 was  
intercepted and Md. Ahshan Ansari was apprehended. On  
search, 200 pouches of country made liquor manufactured in  
Jharkhand was recovered. The petitioner has been made accused  
in the case only because the petitioner is owner of auto  
rickshaw. It is submitted that, of course, the petitioner is owner  
of auto rickshaw but he had handed over the vehicle to his son,  
Ahshan Ansari, for carrying passenger but the son of petitioner



in stead of carrying passenger was transporting liquor and for that the petitioner is not responsible. The son of petitioner is in jail.

Considering the facts aforesaid and nature of allegation made against the petitioner, the petitioner, above named, in the event of his arrest/ surrender before the 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 his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Gaya, in connection with Barachatti Excise P.S. case No. 126 of 2019, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Jha, J)**

BKS/-

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