

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62336 of 2018

Arising Out of PS. Case No.-151 Year-2018 Thana- BARAULI District- Gopalganj

Nawazish Miyan @ Nawzish Miyan, S/o- Late Shaukat Ali, R/o- Vill.-
Taprana, P.S.- Jhinhana, District- Shamli Uttar Pradesh.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Anis Akhtar

For the Opposite Party/s : Md. Ansarul Haque

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 24-01-2019 Heard learned counsels for the petitioner and the
State.

The petitioner is languishing in custody since 25.06.2018 in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is to the effect that from a truck, 4545 litres of illicit foreign liquor was recovered and the driver and cleaner of the truck were apprehended. It is further alleged that the petitioner is the driver of the alleged truck.

It is submitted by learned counsel for the petitioner that the petitioner was simply the driver of the alleged truck and it was the responsibility of the transport agency which booked the goods and considering this fact, the cleaner of the truck, Meharban Ali has been granted bail by a co-ordinate Bench of



this Court, vide order dated 10.01.2019, passed in Cr. Misc. No. 64569 of 2018. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner was the driver of the alleged seized truck from which, recovery has been made.

Considering the fact that similarly situated co-accused has been granted bail by a co-ordinate Bench of this Court and period under custody, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Gopalganj, in connection with Barauli P.S. Case No. 151 of 2018.

(Dinesh Kumar Singh, J)

Amrendra/-

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