

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45866 of 2019

Arising Out of PS. Case No.-95 Year-2019 Thana- KATIHAR MUFFASIL District- Katihar

Md. Nausad, aged about 32 years (Gender-M), S/o Late Md. Tahir, R/o
Village- Jafarganj, P.S.- Katihar (Muffasil), District- Katihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 24-07-2019 Heard learned counsel for the petitioner and
learned counsel for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Muffasil P.S. Case No.95 of 2019,
registered for the offence under Section 30(a) of the Bihar
Excise and Prohibition Act, 2016.

The police has searched the hut of the petitioner,
from where 30 liters of country made liquor has been recovered.

Learned counsel for the petitioner submits that the
petitioner has no criminal antecedent.

Looking to the quantity of liquor as also the fact
that the petitioner has no criminal antecedent, let the above-
named petitioner be released on anticipatory bail in the event of
his arrest or surrender before the learned Court below within a



period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the A.D.J.-II-cum-Special Judge (Excise), Katihar, in connection with Muffasil P.S. Case no. 95 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

However, at the time of accepting bail bonds, the court below would verify and assure itself regarding the criminal antecedent of the petitioner. If he is having clean antecedent, then his bail bond would be accepted. If his is found to be involved in any other case before filing of this application i.e. 23.07.2019 then his bail bond would not be accepted.

(Shivaji Pandey, J)

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