

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60165 of 2019

Arising Out of PS. Case No.-302 Year-2018 Thana- BAUSI District- Purnia

MOHAMMAD YUNUSH S/o Gulam Sabir Resident of Ward No. 06, Bhoot
Bangala Rudrapur, Udham Singh Nagar, P.S.- Kotwali, District- Udham Singh
Nagar (Uttarakhand)- 263153

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Prakash Sharma

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-09-2019 Petitioner seeks bail in anticipation of his arrest in connection with Special Excise Case No.1164 of 2018, arising out of Baisi P.S. Case No. 302 of 2018 registered for the offences punishable under Sections 30(a), 38, 41, 47 of Bihar Prohibition and Excise Act and Sections 420, 467 and 468/34 of the Indian Penal Code.

Allegation is of recovery of 6600 litres of spirit from the vehicle of the petitioner, who is said to be owner of the vehicle.

Submission of learned counsel for the petitioner is that petitioner has no knowledge the carrying of spirit by his vehicle and driver disclosed that he carried the spirit for other accused and for that he has taken money from him and



petitioner being owner of the vehicle is a resident of Uttrakhand.

Heard learned APP also.

In view of above facts and circumstances, let petitioner surrender in the court below within a period of four weeks from the receipt of this order and on surrender he shall be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-II-cum-Special Judge, Excise Act, Purnea, in connection with Special Excise Case No. 1164 of 2018, arising out of Baisi P.S. Case No. 302 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that address of the petitioner shall be verified before releasing him on bail.

(Vinod Kumar Sinha, J)

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