

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60334 of 2019

Arising Out of PS. Case No.-14 Year-2019 Thana- BEERPUR District- Begusarai

MD. INTISAR @ MD. INTASAR Son of Md. Qaium Resident of Village-
Sankh, Rajmahala Police Station- Muffasil, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rai Mukesh Sharma

For the Opposite Party/s : Mr.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioner as well as
learned Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under sections
30/32 of Bihar Prohibition and Excise Act, 2016.

Allegation in the case is in respect of recovery of 87.12
liter of foreign liquor from Bolero owned by the petitioner.

It is submitted by counsel for the petitioner that he has
not been arrested on the place of alleged recovery. Allegation to
the extent that he and driver had fled away is highly improbable
and there is no basis for the police officer to submit that the
petitioner (owner) had fled away from the place of the recovery
as he is not known to the petitioner since before. Recovery is
not in accordance with the prescribed procedure under Cr.P.C.

Petitioner has no criminal antecedent and is in custody



since 18.07.2019.

Considering the aforesaid submissions, prayer for bail is allowed.

Let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge II-cum-Special Judge, Excise, Begusarai in Birpur P.S. Case no. 14/2019 subject to the following conditions.

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

s.hassan/-

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