

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65109 of 2018

Arising Out of PS. Case No.-188 Year-2017 Thana- BASANTPUR District- Siwan

Md. Ashik Nawaz, Son of late Rahmat Mian, Resident of Village- Husepur
Nand, P.S. Basantpur, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Advocate.

For the Opposite Party/s : Mr.Sri Parmanand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 01-02-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Basantpur P.S. Case No. 188 of 2017 registered under
Sections 272, 273 and 308 of the Indian Penal Code and Section
30 of the Bihar Excise Act, 2016.

The accusation is that, in course of patrolling duty,
informant received the information that Tuntun Saw and
Prakash Saw are carrying liquor loading in Maxico white color
Van, for supplying to Amit Singh, Mahesh Singh and others.
Thereafter, police reached at village Sipar and saw that Maxico
Van was parked, from which, cartoon of liquor was unloading
and same was being kept on motorcycle. On seeing police, they



succeeded to flee away leaving motorcycle and Maxico van. On search of Maxico Van, 237.24 litre Indian made foreign liquor kept in different bottles recovered.

Learned counsel for the petitioner submits that, in fact, petitioner is the owner of Maxico Van and the aforesaid Van was handed over to driver, Sonu, for plying on road and he has no knowledge about carrying the liquor by his driver. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on 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 bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-II, Siwan, in connection with Basantpur P.S. Case No. 188 of 2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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