

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73781 of 2019

Arising Out of PS. Case No.-27 Year-2019 Thana- TANDWA District- Aurangabad

MD. SHOYAB KHALIFA @ MD. SOYAB, Son of Yusuf Khalifa @ Yusuf Tailor, Resident of Village - Barejpara, Dr. Jakir Hussain, Ward No. 39, Ambikapur, District - Surguja (Chhattisgarh)- 497001.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Gulnar Begum, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-11-2019 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the allegation in the FIR, 10 litres of Mahua liquor was recovered from the motorcycle and one Ranu Yadav was arrested.

It is submitted by learned counsel for the petitioner that he had sold the motorcycle much prior to the date of occurrence, however, it appears that steps for its registration by the purchaser had not been taken. It is further submitted that in any case, no incriminating article was recovered from possession of the petitioner who has no criminal antecedent.



In view of the facts and circumstances stated hereinabove, the Court is inclined to grant bail to the petitioner.

Let the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VII-cum-Special Judge (Excise), Aurangabad in connection with Tandwa Police Station Case No. 27 of 2019, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Partha Sarthy, J)

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