

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81117 of 2019

Arising Out of PS. Case No.-53 Year-2019 Thana- DARAUNDA District- Siwan

MANU ANSARI @ HASAUDDIN ANSARI @ MANNU ANSARI Son of
Bhola Miyan @ Bhola Ansari Resident of Village - Harsar, P.S.- Daraunda,
District- Siwan Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prashant Kumar
For the Opposite Party/s : Mr. Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 10-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Daraunda P.S. Case No. 53 of 2019 registered for the offence
punishable under sections 30(a) and 38 of Bihar Prohibition and
Excise Act, 2016.

As per allegation in the FIR, two persons were
apprehended on motorcycle and from their possession 34.56
litres of IMFL was recovered. It is further submitted that 5 litres
and 7.2 litres of IMFL is said to have been recovered from two
accused persons.

It is submitted by learned counsel for the petitioner
that the name of the petitioner has transpired in the confessional
statement of two accused persons on the motorcycle from whom
34.56 litres of IMFL was recovered. It is further submitted that
besides the confessional statement of co-accused before the



police, there is no substantial material against the petitioner, who is in custody since 09.07.2019 and charge-sheet has been submitted.

The application for bail is opposed by learned APP for the State who submits that petitioner has criminal antecedent under the Excise Act.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances especially that the petitioner was not arrested on the spot nor any incriminating material was recovered from the possession of the petitioner and chargesheet has been submitted in this case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-II-cum-Special Judge (Excise), Siwan in connection with Daraunda P.S. Case No. 53 of 2019.

(Partha Sarthy, J)

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