

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83576 of 2019

Arising Out of PS. Case No.-476 Year-2019 Thana- CHAPRA MUFFASIL District- Saran

Asif Ansari @ Md. Asif @ Md. Ashif Ansari Son of Shahid Miyan @ Shahid Husen, Resident of Village - Sandha Dhala, Khemaji Tola, Near Masjid, P.S.- Chapra Muffasil, Distt.- Saran at Chapra.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr.Arun Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 17-12-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking anticipatory bail in connection with Saran (Chapra) Mufassil P.S. Case No. 476 of 2019 registered for the offences punishable under Sections 30(a), 41(1) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that no recovery of wine has been made either from petitioner's possession or from his house. It is further submitted that five bottles of English wine is said to have been recovered from the Scooty which belongs to the person who was apprehended on the spot and that the name of this petitioner has transpired in the statement of the apprehended accused only and save and except



that there is no other material to involve this petitioner in the present case.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of this case, wherein the five bottles of English wine is said to have been recovered from the Scooty which belongs to the person who was apprehended on the spot and that the name of this petitioner has transpired in the statement of the apprehended accused only and save and except that there is no other material to involve this petitioner in the present case, the petitioner having no criminal antecedent, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today be enlarged on bail on furnishing bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran at Chapra in connection with Saran (Chapra) Mufassil P.S. Case No. 476 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when



required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

vats/ved

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