

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.11113 of 2020**

Arising Out of PS. Case No.-62 Year-2020 Thana- ARARIA District- Araria

Md. Istiyak @ Istiyaque S/o- Md. Sahzar @ Sahjar Resident of Village-  
Hariya Bara, Ward No. 11, P.S.- Araria, (R.S.), District- Araria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate  
For the Opposite Party/s : Ms. Rita Verma

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL ORDER**

2      28-02-2020                      Heard the learned counsel for the petitioner and  
the State.

The petitioner seeks bail in connection with Spl.  
Case No. 93 of 2020 arising out of Araria P.S. Case No.  
62 of 2020 dated 22.01.2020 instituted for the offence  
under Section 30 (a) and 38 of the Bihar Prohibition and  
Excise Act, 2016.

The petitioner is said to be the driver of a  
vehicle from where 1440 litres of cough syrup bottles is  
said to have been recovered.

The petitioner is in custody since 23.01.2020  
and does not have criminal antecedent.

It has further been stated on his behalf that he  
was only asked to transport a packet and he did not  
actually know what were the contents of the aforesaid



packet.

Though this defence of the petitioner does not appear to be very convincing but considering the period of custody of the petitioner and the fact that he does not have any case to his credit till date except the present one, he is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2<sup>nd</sup> Additional Sessions Judge-cum-Special Judge, Araria in connection with Spl. Case No. 93 of 2020 arising out of Araria P.S. Case No. 62 of 2020.

**(Ashutosh Kumar, J)**

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