

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18906 of 2020

Arising Out of P.S. Case no.55 Year-2020 Thana- Ramkrishna Nagar District-Patna

Md.Hasim Khan, aged about 50 years, (Male) son of Md. Kasim Khan, resident of
Near Gurudwara Mangali, P.S.: Nichih, District-Ludhiyana (Punjab), permanent
Address:-Resident of village-Dasiyawa, P.S.Nawanagar, District-Buxar

Petitioner

Versus

The State of Bihar

Opposite party

Appearance

For the Petitioner : Mr. Ansul, Advocate

For the State : Dr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 15/05/20

Heard learned counsel for the petitioner and learned

A.P.P for the State, through video conferencing.

The petitioner who is in custody since 5.2.2020 has filed the instant application for grant of bail in connection with Special Case No. 1190 of 2020 arising out of Ramkrishna Nagar P.S. Case no.55 of 2020 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., on information having been received, a raid was conducted and it was seen that cartons were being unloaded by 3 to 4 persons from a truck and being kept in a godown. It is stated that all the other accused persons except the petitioner managed to escape. On search 599.34 litres of IMFL was recovered.

It is submitted by learned counsel for the petitioner that so far as the petitioner is concerned, he is a daily wage



labourer who was unloading the cartons from the truck and had no knowledge about the contents thereof. He is neither the owner nor the driver of the truck and has no concern with the recovered foreign liquor. It is further submitted that the owner of the godown was Vikram Singh. The petitioner has no criminal antecedent and is in custody since 5.2.2020.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the submission made on behalf of the petitioner, his having no criminal antecedent and being in custody since 5.2.2020, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Special Case No. 1190 of 2020 (arising out of Ramkrishna Nagar P.S. Case no.55 of 2020) on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Patna.

(Partha Sarthy, J)

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