

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23627 of 2020

Arising Out of PS. Case No.-79 Year-2020 Thana- KUTUMBA District- Aurangabad

MD. SHARFUDDIN ANSARI S/o Md. Najaruddin @ Najaruddin Ansari
Resident of Village- Jogiya, P.S.- Barun, Distt- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh
For the Opposite Party/s : Mrs. Asha Kumari , APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-09-2020 Heard Mr. Ashok Kumar Singh, learned counsel for the petitioner and Mrs. Asha Kumari, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Kutumba P.S. Case No. 79 of 2020 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation against the petitioner is that Police intercepted a Car and upon seeing the Police party two persons tried to flee away, but were caught by the Police and they disclosed their name as the petitioner and one Pappu Kumar. It has further been alleged that upon search a total quantity of 117 liters of country made liquor was recovered from the said Car.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. Referring to paragraph no. 8 of this petition, learned counsel for the petitioner submits that petitioner is neither the owner nor the



driver of the Car in question. Learned counsel further submits that the Car was being driven by the co-accused, the petitioner has got no criminal antecedent and he is in custody since 23.05.2020.

Having regard to the submissions made by the parties, taking into consideration materials available on record, the fact that petitioner has got no criminal antecedent and he is not the driver or the owner of the Car in question, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge VII cum Special Judge (Excise) Aurangabad / court concerned in connection with Kutumba P.S. Case No. 79 of 2020.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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