

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83177 of 2019

Arising Out of PS. Case No.-313 Year-2019 Thana- PATAHI District- East Champaran

MD. NESAR @ MD. NISHER @ NESAR ANSARI @ NISHAR ANSARI
Son of Yakoob Ansari @ Gaffar Ansari Resident of Village- Pakridayal, P.S.-
Pakridayal, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Waliur Rahman

For the Opposite Party/s : Mr.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 14-01-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody seeks bail in a case
registered under Section 30(a), 37(d), 38, 41 of the Bihar
Prohibition and Excise Act, 2016 and Section 414 of the Indian
Penal Code.

Allegation is recovery of 23.750 litres of foreign
liquor from the motorcycle which was being driven by the
petitioner which was also found to be stolen.

It has been submitted on behalf of petitioner that he is
innocent and has been falsely implicated in this case. Petitioner
has no criminal antecedent and nothing was recovered from his
conscious possession. Petitioner is in custody since 07.10.2019.



Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (Rs. twenty thousand) with two sureties of the like amount each to the satisfaction of learned court below, in connection with Patahi P.S. Case No. 313 of 2019 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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