

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2372 of 2020

Arising Out of PS. Case No.-125 Year-2019 Thana- CHAUTHAM District- Khagaria

AKHTAR MIYAN @ MD AKHTAR MIYAN, aged about 42 years, Male,
Son of Ghayani Miyan Resident of Village - Barhara, P.S.- Chautham,
District- Khagaria ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Pankaj Kumar, Adv.
For the Opposite Party : Mr. Rita Verma, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 24-01-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks bail in connection with
Chautham P.S. Case No. 125 of 2019 corresponding to G.R. No.
1541 of 2019, registered under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The accusation is that on receiving secret information
about carrying the bottles of liquor loading on tractor in village
Bhutauli, the informant, along with other police personnel,
reached there. Some persons were seen near the tractor, but,
they succeeded to flee away while one was apprehended, who
was on tractor, who disclosed his name Gulab Kumar. On
search of tractor, 548 bottles, each containing 375 ml recovered
concealed in the trailer of the tractor in maize straw. Gulab
Kumar disclosed the name of his associates Devendra Kumar



and Akhtar Mian (petitioner).

Submission is that petitioner was not apprehended on spot. In fact, the petitioner is accused in two cases, as detailed in paragraph 3, due to that reason the police implicated the petitioner showing his name in the confessional statement of Gulab Kumar. The petitioner is in custody since 17.09.2019.

Having regard to the facts and circumstances of the case, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Chautham P.S. Case No. 125 of 2019 corresponding to G.R. No. 1541 of 2019 to the satisfaction of the Additional District Judge II-cum-Special Judge, Excise, Khagaria.

(Rajendra Kumar Mishra, J)

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