

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13044 of 2021

Arising Out of PS. Case No.-205 Year-2020 Thana- MANSI District- Khagaria

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MOHAMAD TAYAR S/o Late Ibrahim Mian R/o village- Kulharia, P.S.-
Parbatta, District- Khagaria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abdul Mannan Khan
For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 24-12-2021 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Mansi P.S. Case No. 205/2020
(G.R. No. 2085/2020) instituted for the offence under
Section 30(A) of the Bihar Excise & Prohibition (Amendment
Act), 2018

40 litres of liquor is said to have been recovered
from a three wheeler / tempo which was being driven by the
petitioner.

The learned counsel for the petitioner has



submitted that he was carrying passengers for fare when the vehicle was intercepted. One of the persons sitting in the vehicle was carrying a jerkin, which perhaps contained liquor. The person who was carrying the same managed to run away. For the fear of being arrested, the petitioner also ran away. It has also been submitted that the petitioner has got no concern whatsoever with the liquor which has been seized.

He has clean no criminal antecedents.

On the basis of the afore-stated facts, it is submitted that the offence under the Excise Act cannot at all be said to have been made out against the petitioner.

For the reasons afore-stated, the petitioner, above named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Khagaria, in connection with Mansi P.S. Case No. 205/2020



(G.R. No. 2085/2020), subject to the condition laid down
under Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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