

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42420 of 2021**

Arising Out of PS. Case No.-397 Year-2020 Thana- KUDRA District- Kaimur (Bhabua)

SAFIQUE ANSARI S/O KUTUBUDDIN ANSARI @ KUTUBUDIN
ANSARI R/O VILLAGE-KADHAWAN, P.S-NAGAR UTARI, DISTRICT-
GARHWA (JHARKHAND).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey, Adv.

For the Opposite Party/s : Mr.Ajit Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 15-12-2021 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Excise Case No. 982/2020 arising out of Kudra P.S.Case No. 397/2020, registered for the offence punishable under Section 30(A) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation is regarding recovery of 518.40 liter of illicit liquor from a truck.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing



in custody since 29.12.2020. The learned counsel for the petitioner has further submitted by referring to paragraph no. 8 of the present petition that the petitioner is neither the driver nor the owner of the truck in question.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner has categorically stated that he is neither the owner nor the driver of the truck in question and he is languishing in custody since about one year, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the



satisfaction of learned ADJ-II cum Special Judge
(Excise), Kaimur at Bhabua in connection with
Excise Case No. 982/2020 arising out of Kudra
P.S.Case No. 397/2020.

(Mohit Kumar Shah, J)

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