

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1293 of 2021

Arising Out of PS. Case No.-162 Year-2020 Thana- KURSAKANTA District- Araria

Jahir Ansari S/o- Salauddin Ansari Resident of Village- Dumariya, Ward No 1, P.S.- Sonamani, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Gopal Kumar Jha, Advocate
For the State	:	Mr. Md. Anbzarul Haque Sahara APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 22-03-2021 Heard learned counsel for the petitioner and the learned APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so.

The petitioner seeks bail in Kursakanta PS Case No 162 of 2020, Spl Case No. 732 of 2020, instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

26 litres 400 ML *Nepali* wine has allegedly been recovered from the spot. The petitioner along with another was allegedly carrying the same on a motorcycle.

It is submitted that since 08.09.2020, the petitioner is in custody. The prosecution case is false and there is absolute denial of the recovery or the manner of recovery. The recovery is not in accordance with the procedure prescribed and the petitioner has no criminal antecedents.



The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge II-cum -Special Judge, Excise Act, Araria, in connection with Kursakanta PS Case No 162 of 2020, Spl Case No. 732 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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