

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.713 of 2021**

Arising Out of PS. Case No.-220 Year-2020 Thana- MOTIPUR District- Muzaffarpur

MD. ASHIF @ MAZHAR Son of MD. SAIFUDDIN @ Sarfuddin Resident of Village - Thikahan, P.S. - Kathaiya, District - Muzaffarpur, at present C/o Jabu Nisha (Fua) W/o Late Md. Isha, R/o Vill. - Kataha Bandh, P.S. - Mehasi, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

3      07-04-2021                      Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Motipur P.S. Case no. 220/2020 registered under sections 272 and 273 of the Indian Penal Code and sections 30(a) and 41(1) and (2) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the first information report, the petitioner and one another who were said to be standing in a suspicious condition, were apprehended. It is stated that they disclosed about their involvement in sale of liquor. After their disclosure a truck was caught and checked and it is stated that 6000 litres of spirit was recovered. One person who managed to



escape, was identified as Rajdip Singh.

It is submitted by learned counsel for the petitioner that the petitioner has no concern with the truck or with the seized article. He has no criminal antecedent and is in custody since 10.9.2020 i.e. for more than 6 months. Chargesheet has been submitted in the case.

The application for bail is opposed by learned Additional Public Prosecutor for the State.

Having heard learned counsel for the parties and taking into consideration that the petitioner has no criminal antecedent together with the period in custody, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Motipur P.S. Case no. 220/2020 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Muzaffarpur.

**(Partha Sarthy, J)**

Spd/-

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