

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69075 of 2021

Arising Out of PS. Case No.-888 Year-2021 Thana- ARARIA District- Araria

MD AFTAB, Male, age about 35 years, Son of Late Kasim, Resident of
Village - Suryapur Ward No.15, P.s.- Baigachhai, Distt.- Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Shivam, Advocate

For the Opposite Party : Mr. Tarkeshwar Nath Thakur, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-12-2021 Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the office, within a period

of eight weeks.

Heard learned counsel for the petitioner and learned

counsel for the State.

The petitioner is apprehending his arrest in connection

with Araria P.S. Case No. 888/2021 for the offence registered

under Section 30(a) of the Bihar Prohibition and Excise Act,

2016.

The prosecution story, in brief, is that total 99.400

liters *Eskuf Syrup* is recovered from the car in question.



It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. It is alleged that total 99.400 liters *Eskuf Syrup* is recovered from the car in question. The petitioner is alleged to be the owner of the car in question. The said car is run as a public carrier. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the nature of goods kept in the car in question. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-X-cum-Special Judge, Excise, Araria, in connection with Araria P.S. Case No. 888/2021, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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