

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70353 of 2021**

Arising Out of PS. Case No.-9 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Kishanganj

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ZIYAUDDIN ANSARI @ MD ZIYAUDDIN ANSARI Son of Late Abdul
Ansari Resident of Village - Chagalia, Ward No.9, P.s.- Kishanganj, Distt.-
Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-12-2021 Heard learned counsel for the petitioner and the State.

Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of eight
weeks.

The petitioner is apprehending his arrest in connection
with Special Case No. 371 of 2021 registered for the offence under
Section-30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 558 liters wine is
recovered.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The petitioner
has been falsely implicated in the present case. It is alleged that 558
litres wine is recovered from a vehicle. The petitioner is said to be



owner of the vehicle, in question. The said vehicle is run as a public carrier. The petitioner had no knowledge regarding the nature of goods, booked by the transporter. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. 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.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of arrest/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 learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Kishanganj in connection with Special Case No. 371 of 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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