

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3433 of 2022

Arising Out of PS. Case No.-739 Year-2021 Thana- SHERGHATI District- Gaya

MD ASHRAF Son of Md. Nishad @ Nesar Ahmad Resident of Village -
Sukul Khap, P.s.- Gurua, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 31-03-2022 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 30 (a) of the Bihar
Prohibition & Excise Act.

As per the prosecution case, 295 liters of country
made liquor has been recovered from a tempo of which this
petitioner was driver and he was arrested on the spot.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. No incriminating article has been recovered from the
conscious possession of the petitioner and he is no way
concerned with the alleged recovery. Petitioner being driver of
the vehicle was not aware of the nature of consignment
transported through the vehicle. Petitioner claims clean



antecedent and is in custody since 18.11.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, 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 Additional Sessions Judge-II-cum- Special Judge, Excise Act, Gaya in connection with Sherghati PS case No. 739/2021.

(Prabhat Kumar Singh, J)

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