

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11684 of 2022

Arising Out of PS. Case No.-387 Year-2021 Thana- ROSERA District- Samastipur

Md. Sharif @ Sharif S/o Late Ibrahim @ Ebrahim, R/o village- Masid, P.S.-
Tadu, District- Mewat (Haryana).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohammad Akhter Hussain, Adv.

For the Opposite Party/s : Mr. Indu Kumari Srivastava, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 18-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Rosera P.S. Case No. 387 of 2021, lodged under Sections 272,
273/34 of Indian Penal Code read with Sections 30(a) of the
Bihar Prohibition and Excise Act, 2016.

As per prosecution case, the total recovery of
1746.690 liter of foreign liquor is the subject matter relating to
the present case.

Learned counsel for the petitioner submits that
petitioner is neither driver nor *khalasi* of the truck. He further
submits that petitioner is not apprehended from the place of

occurrence. He also submits that petitioner is the owner of truck and has given this truck to the transport company and he is completely unaware about doing such type of illegal work. Learned counsel further submits that petitioner is in custody since 03.12.2021 having clean antecedent.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I-cum-Special Judge Excise, Samastipur in connection with Rosera P.S. Case No. 387 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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